

December 20, 2010

To: Board of Adjustment

From: Mike Collins

Re: Reconsideration of Case # C15-2010-132

The actions of the builder and the purported lack of due diligence by the current owners were the focus of discussion which resulted in the denial of our two (2) variances. Reconsideration of case #C15-2010-132 is being requested because new findings have been discovered in documents which were not made available in a timely manner for consideration at the December 13, 2010 BOA meeting.

1) Regarding the variance request for the common wall connection requirement of Section 25-2-773;

Permit history and related documents made available to me at the December 13, 2010 BOA meeting, show proof and demonstrate a long term knowledge by the City of Austin's Approval Authority, of Ian Mitchell's (the builder) plan to develop a duplex at 2102 East 13<sup>th</sup> St.. The initial authorizing building permit was issued more than four years ago as evidenced by the permit dated August 23, 2006. (Please see Exhibit 'A' & note Remarks i.e. 'Breezeway Attachment').

Over the course of the next year, various permits were suspended, revised & reissued. However, every permit contains acknowledgement by the City of Austin's Approval Authority that the 'Proposed Occupancy' was to create a duplex. The most recent building permits issued for 2102 A & B, dated September 28, 2007, continue to demonstrate knowledge by COA that the 'Proposed Occupancy' to create a duplex had not changed. The layout and position of the structures currently on the property were verified on a survey completed July 25, 2007, two months before the September 28, 2007 building permit. The survey and building permit for 2102A describe a method of attachment (a zipper wall) other than the 'Breezeway' approved on the August 23, 2006 permit. (Please see Exhibit 'B1' comments & 'B2' the survey.) The location of the two structures was reaffirmed by a survey completed June 14, 2010.

Per the McMansion Ordinance # 20060216-043 in effect during the period in which all the building permits were issued to Ian Mitchell, the City of Austin's Approval Authority authorized alternative connections and permitted construction of two structures that could never be physically connected in a manner that was compliant with the existing Ordinances.

Given, the City of Austin's Approval Authority's role in the current situation with 2102 A/B East 13<sup>th</sup> St. we respectfully request this variance be approved to allow the placement of a breezeway on the footing that already exists for that purpose (please see Exhibit 'C'), as authorized per building permit #06018884 dated August 23, 2006.

2) Regarding the variance request for an increase in the floor-to-area requirement of Subchapter F; Article 2: Development Standards; Subsection 2.1;

We would like to direct the Board's attention to the notation on page four (4) of the BOA application which states "The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated". Conversely, denying an applicant when other structures within 300' of 2102 East 13<sup>th</sup> St. already enjoy a FAR variance would demonstrate bias toward the current owners. (Please see Exhibits 'D1'; 'D2'; 'D3'; 'D4'; & 'D5'.) These neighboring properties were permitted and constructed during the same time period as 2102 A/B, and there is no evidence of a negative impact on the neighborhood.

Based on this information we respectfully request the FAR variance of 0.59:1.0 be approved.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Collins", written over a horizontal line.

Michael Collins



## CITY OF AUSTIN - PROJECT PERMIT

Printed: 07 December 2010

PERMIT NO.  
06018884STATUS  
ACTIVETYPE  
RADDRESS  
2102 E 13TH STDATE  
23-AUG-06

OLT 34 DIV B						SUBDIVISION						PERMIT CLERK GWILSFORD							
PLAT		BLOCK 6		LOT 2		MK23						GRID							
ZONE SF-3-N		HT. & AREA		REQD.		PARKING PROVD.		PROPOSED OCCUPANCY CHGE USE F/SF TO DUPLEX, RMDL EXIST UNIT A(INT & EXT) & ADD ATTACHED GARAGE, 1ST FLR: BATH & UTILITY***											
SPECIAL PERMIT NO.				TOTAL SQ. FT. 3429		VALUATION \$142,000		TYPE CONST.		USE. CAT. R4-0		GROUP		FLOORS 2		BLDGS 1		UNITS 2	
WORK PERMITTED ADDITION						BASEMENT N		BUILDING DIMENSIONS						MIN. STD. N		ONR N			

C O N T R A C T O R S	OWNER/CONTR.	MGE DEVELOPMENT	PHONE	FEE	PAID DATE	REQUIRED INSPECTIONS  BUILDING MECHANICAL ELECTRIC PLUMBING
	BUILDING	GARY PRUITT	632-0066			
	ELECTRICAL	TONY JARAMILLO SR	632-0066	\$674	08/23/2006	
	MECHANICAL	LARRY SUSEN		\$220	10/25/2006	
	PLUMBING	ROGELIO S VASQUEZ		\$149	09/29/2006	
	SIDEWALK/DRIVE			\$155	08/24/2006	
	SIGN					
	ROOF / SIDE					
	ELEC SERVICE FEE					
	PLAN CHECK FEE					
			ETJ FEE	TOTAL FEE \$1,198	TOTAL PAID \$1,198	

C.O. MAILING ADDRESS

Approval of the final plumbing inspection, if required, serves as completion and approval of a customer service inspection, as required by 30 T.A.C. 29.46 (j).

REMARKS: \*\*\* & 2ND FLR: 3 BDRMS, 2 BATH, & BALCONY. & ADD UNIT B W/ATTACHED GARAGE, COVD PORCH & ADD BREEZEWAY ATTACHMENT. BC 2060=26.6%. IC 3059=39.4%  
TOTAL: 6 BDRMS & 5 BATH=3/4" WTR METER  
EROSION/SEDIMENTATION CONTROLS REQ'D.  
LAYOUT INSPECTION REQ'D BEFORE STARTING CONSTRUCTION.  
ZON.REV. DCERKAN/ESPA 10/25/06 298-105 DH

BY TAKING AND/OR PAYING FOR THIS PERMIT APPLICATION, YOU ARE DECLARING YOU ARE THE OWNER OR HAVE BEEN AUTHORIZED BY THE OWNER OR OWNERS TO SUBMIT THIS APPLICATION, THAT THE GIVEN DATA ARE TRUE FACTS AND THAT THE WORK WILL CONFORM TO THE PLANS AND SPECIFICATIONS SUBMITTED HERewith:

THIS IS A RECEIPT OF PAYMENT FOR FEE OR FEES AS MARKED PAID.

TO SCHEDULE AN INSPECTION, CALL 480-0623.

Exhibit 'A'



# City of Austin BUILDING PERMIT

**PERMIT NO:** 2007-154472-BP

2102 E 13TH ST UNIT A

Type: RESIDENTIAL Status: Expired

Issue Date: 09/28/2007 **EXPIRY DATE: 03/17/2009**

LEGAL DESCRIPTION Lot: 2 Block: 6 Subdivision: HABICHTS SUBDIVISION						SITE APPROVAL		ZONING SF-3-NP	
PROPOSED OCCUPANCY: addn to create a duplex use		WORK PERMITTED: Addition				ISSUED BY: Zulema Flores			
TOTAL SQFT New/Addn: 2,013		VALUATION Tot Val Rem: \$0.00		TYPE CONST.	USE CAT. 434	GROUP	FLOORS 2	UNITS 1	# OF PKG SPACES 3
TOTAL BLDG. COVERAGE 2035		% COVERAGE 26	TOTAL IMPERVIOUS COVERAGE 2672		% COVERAGE 2797	# OF BATHROOMS		METER SIZE	

## Contact

Applicant, Victor Stinson, Stinson Property Group  
General Contractor, Victor Stinson, Stinson Property Group

## Phone

(512) 658-8876  
(512) 658-8876

## Contact

Billed To, MGE Development, Inc.

## Phone

(512) 632-0066

Fee Desc	Amount	Date	Fee Desc	Amount	Date	Fee Desc	Amount	Date
Building Permit Fee	185.00	9/28/2007	Electrical Permit Fee	100.00	1/18/2008	Mechanical Permit Fee	66.00	1/16/2008
Plumbing Permit Fee	85.00	1/28/2008						
<b>Fees Total:</b>	<b>436.00</b>							

## Inspection Requirements

Building Inspection      Driveway Inspection      Electric Inspection      Mechanical Inspection  
Plumbing Inspection      Sewer Tap Inspection      Water Tap Inspection

All Buildings, Fences, Landscaping, Patios, Flatwork And Other Uses Or Obstructions Of A Drainage Easement Are Prohibited, Unless Expressly Permitted By A License Agreement Approved By COA Authorizing Use Of The Easement.

**Section 25-11-94 Expiration and extension of permit (Active Permits will expire 180 days at 11:59:59 pm after date of last inspection posted). If you allow this permit to expire, you will be required to submit a new application & pay new fees.**

The following permits are required as a separate permit: See Mechanical, Electrical, Plumbing permits for Related Fees and Inspections.

## Comments

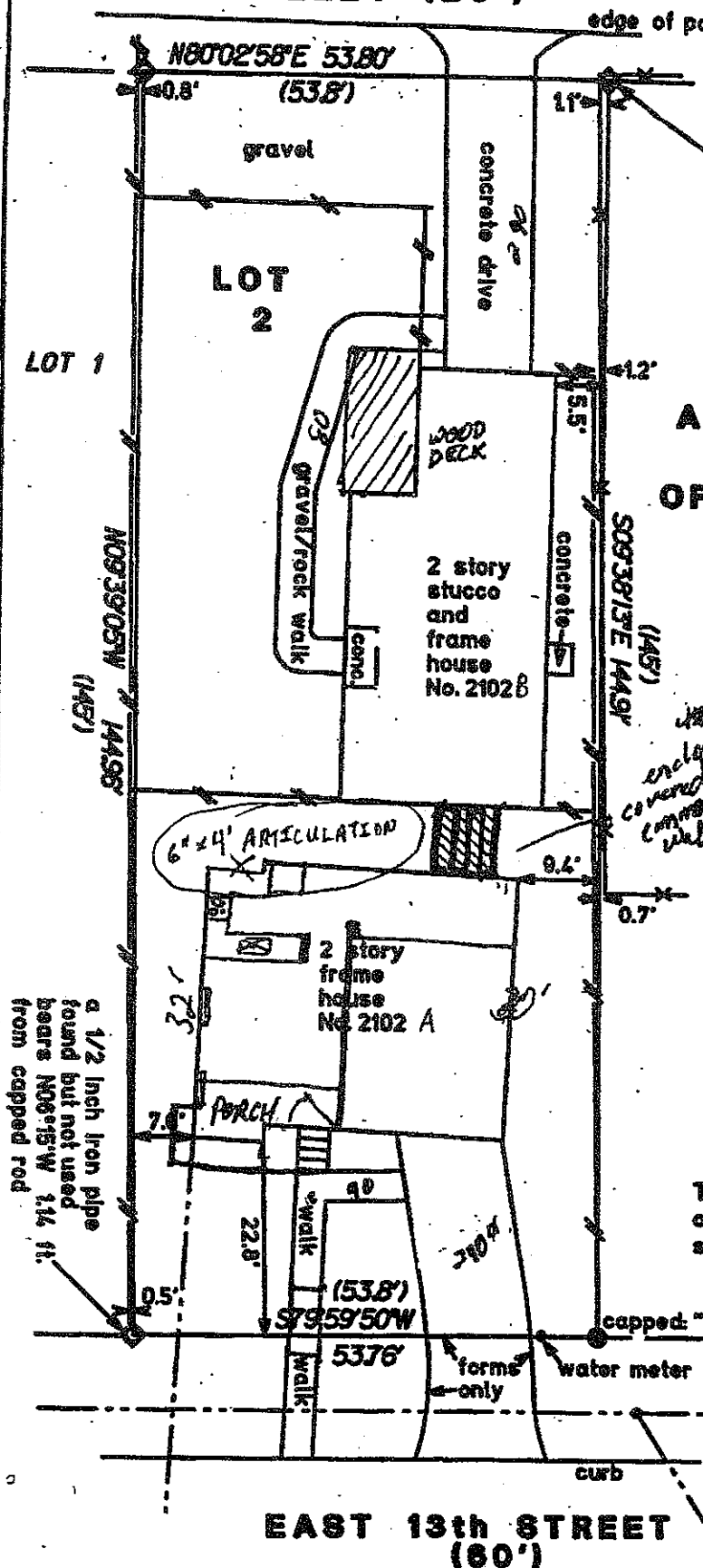
structure fits within bldg tend overhangs can extend 2' outside the tent  
sidewall articulation-east wall must articulate at 32' no sidewall art required for west all because wall length is 30'  
far allowed 3103 sq ft/applicant has 3045 sq ft.  
2nd floor balcony is uncovered  
setbac average allows structure to be 22.8(lde-subchapter f article 2 sect. 2.3.b)  
duplex common wall must be a minimum of 47' can use zipper wall and wall must connect both units with common roof.  
porch cannot encroach into 5' side setback. can encroach into front setback(22.8)up to 5'  
no ceiling height over 15' in height  
3 off street parking spaces per urban core.

SEE SURVEY APPROVED  
Dated 9-27-07

**Exhibit 'B1'**

ALLEY (20')

SCALE: 1"=2'



LOT 3  
BLOCK 6  
A. E. HABICHT  
SUBDIVISION  
OF OUTLOT 34  
DIVISION B  
VOLUME 1  
PAGE 42

EXHIBIT MAP OF  
LOT 2, BLOCK 6, A. E. HABICHT  
SUBDIVISION OF OUTLOT 34,  
DIVISION B, A SUBDIVISION  
IN TRAVIS COUNTY, TEXAS,  
ACCORDING TO THE MAP OR  
PLAT THEREOF RECORDED IN  
VOLUME 1 PAGE 42 OF THE  
PLAT RECORDS OF TRAVIS  
COUNTY, TEXAS.  
LOCATED AT 2102 EAST 13TH STREET

This map was completed without the benefit  
of a current title commitment. This lot may be  
subject to restrictions and easements not shown here

- LEGEND
- 1/2" Iron Rod Found
  - ◆ 1/2" Iron Rod Set with Plastic (Marked "Holt Carson, Inc.")
  - Wood Fence
  - Chain Link Fence
  - Overhead Utility Wire
  - guy wire
  - (Record Distance)

PREPARED: July 25, 2007  
BY: [Signature]  
structures etc. must maintain 7'5"  
clearance from AE energized power  
lines. Enforced by AE & NESC codes.

Anne Thayer  
Registered Professional Land Surveyor No. 5850

see map A801084 for complete boundary sur  
**AE APPROVED**  
SEP 27 2007  
270-115  
DH

HOLT CARSON, INC.  
1904 FORTVIEW ROAD  
AUSTIN, TX 78704  
(512) 442-0990

Exhibit 'B2'

CITY OF AUSTIN  
APPROVED FOR PERMIT  
Victoria Hsu, P.E.  
Water Engineering & Development Review Department  
Date: 9/27/07  
The printing of a permit for this project does not constitute an approval of any of the provisions of the current adopted building code or any other ordinance of the City of Austin.

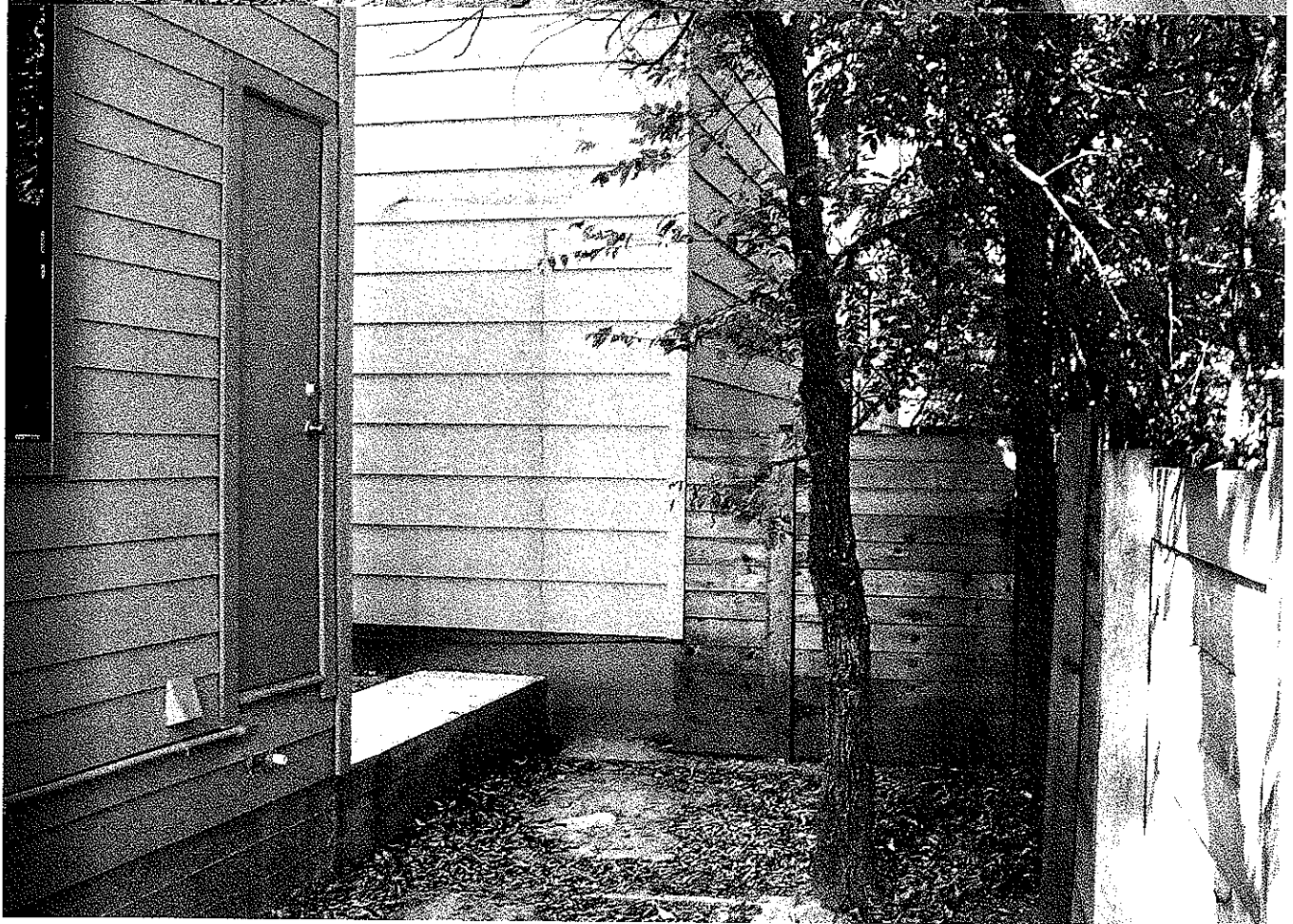
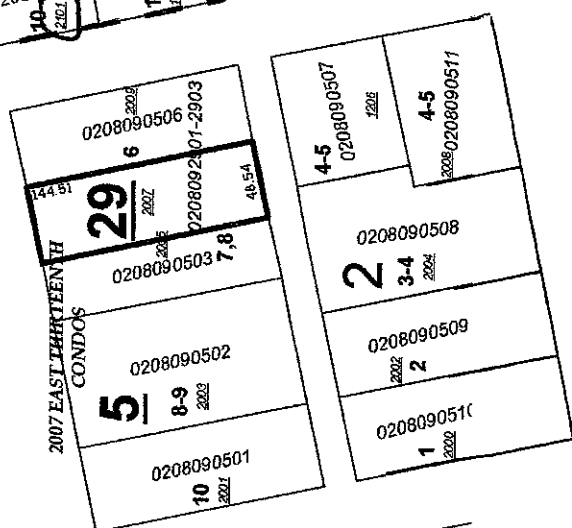
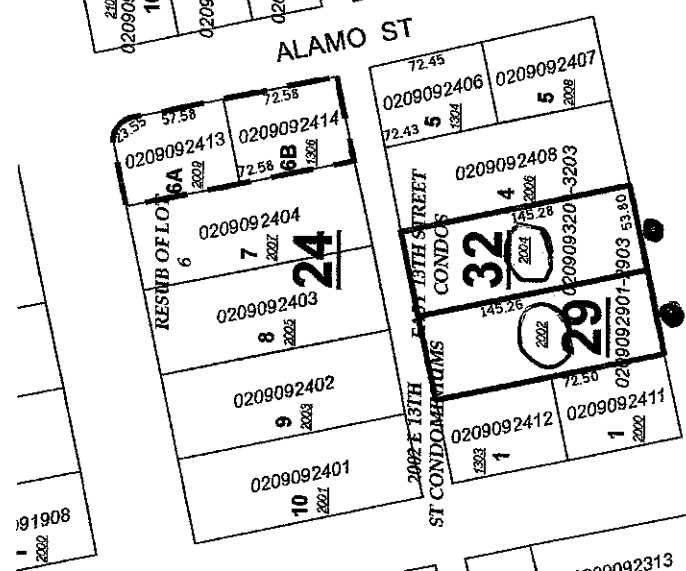
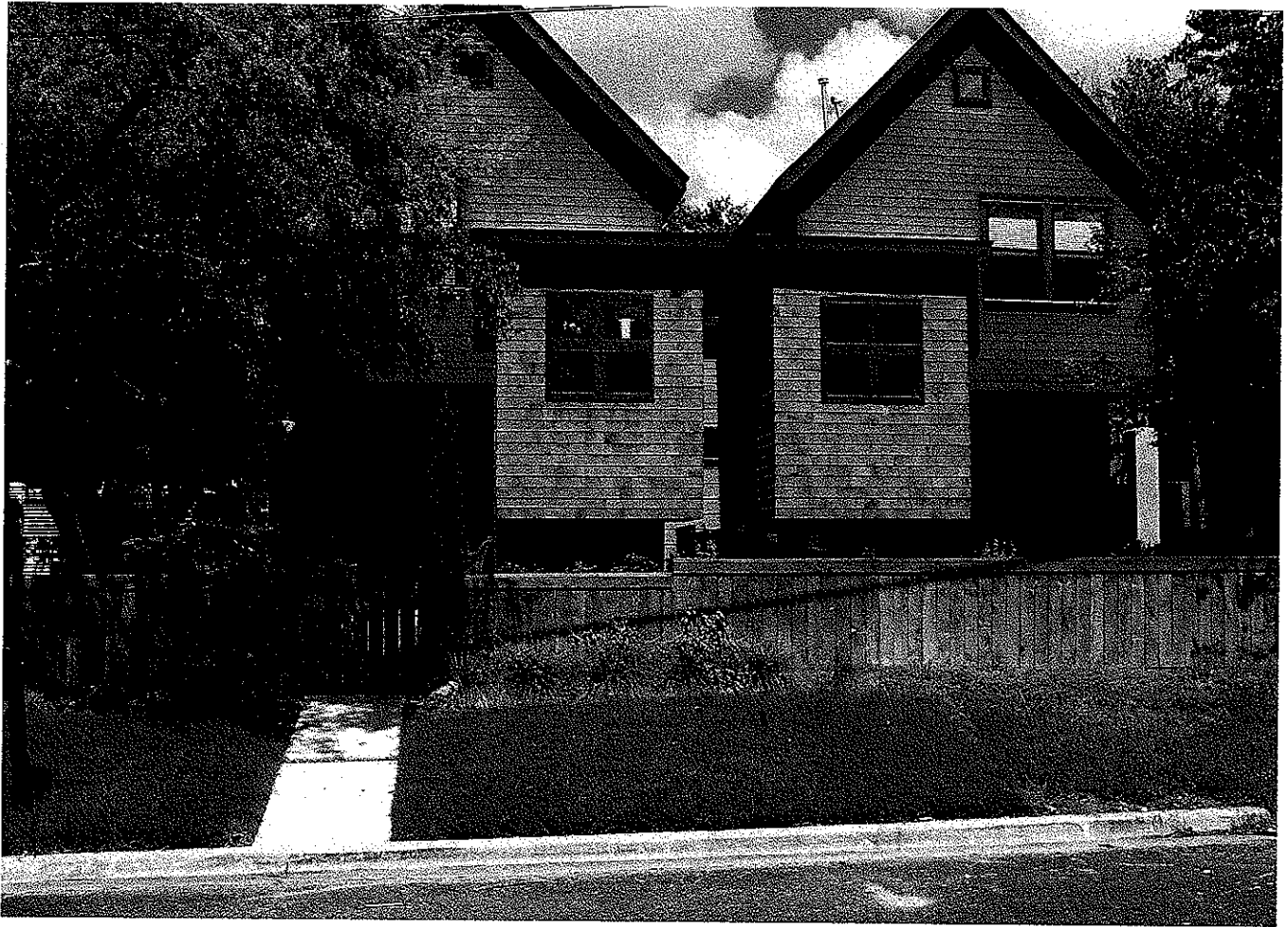


Exhibit 'C'



F. B. FOSTER



**2002 A/B E. 13<sup>TH</sup> ST.; FAR= 0.45:1.0; BUILT 2007/2008**

**Lot Size= 7822 sq. ft.; Structure(s)= 3536 sq. ft.**





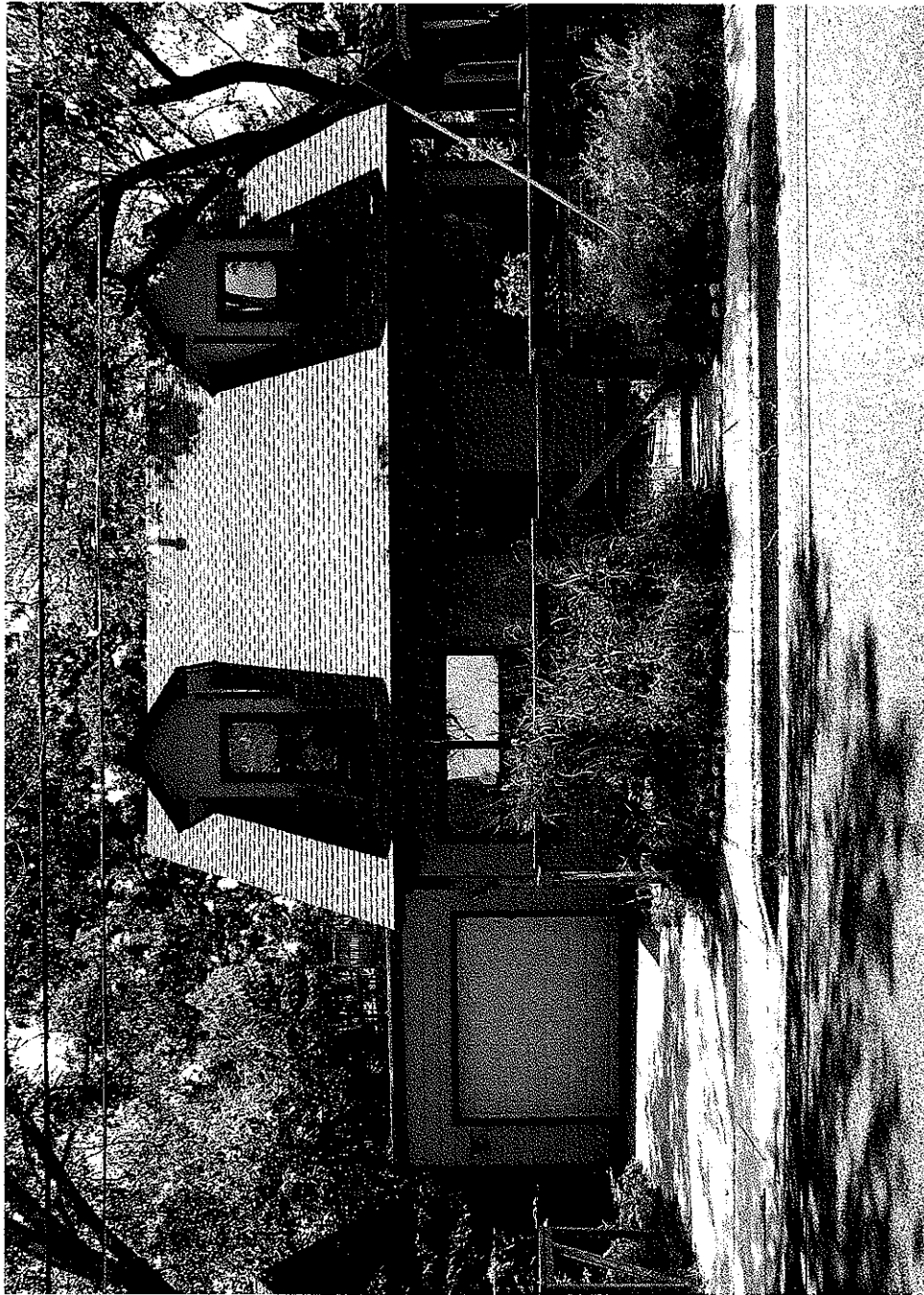
2004 A/B E. 13<sup>TH</sup> ST.; FAR= 0.45:1.0; BUILT 2006

Lot Size= 7816 sq. ft.; Structure(s)= 3508 sq. ft.



**2101 E. 13<sup>TH</sup> ST.; FAR=0.50:1.0; BUILT 2006**

**Lot Size= 3530 sq. ft.; Structure= 1760 sq. ft.**



2107 E. 13<sup>TH</sup> ST.; FAR=0.59:1.0; BUILT 2006/2007

Lot Size= 2636 sq. ft.; Structure= 1564 sq. ft.

C15-2010-0132

Chestnut Neighborhood Plan Contact Team • 1800 Singleton Ave. • Austin, Texas 78702

City of Austin Board of Adjustments  
c/o Susan Walker, PDRD  
PO Box 1088  
Austin, Texas 78767

December 09, 2010

Re: Case Number C15-2010-0132, 2102 E. 13th St.

Ms. Walker:

On behalf of the Chestnut Neighborhood Plan Contact Team, I am writing to register our opposition to the two variances for the properties at 2102 E. 13th St. requested by Mike Collins, agent for property owners Tamara Dozier, & Tania & Jeff Culbertson. We object for two reasons.

First the property in question is not in compliance with the existing Neighborhood Plan or the COA allowable structures for SF-3. Although we are aware that the property has switched hands and the original contractor is no longer involved we believe that this does not constitute a hardship as it is the investors and buyers responsibility to make sure that the property they invest in is in compliance with the COA. It is unfortunate that the new owners will be held accountable for the actions of the previous developer, but if more buyers and investors were held responsible for the buildings they invest in, less developers would have incentives to construct outside the existing codes.

Secondly, we object because the Chestnut Neighborhood Plan Contact Team follows a strict policy of not supporting **any** post-construction requests for variances, zoning changes, plan amendments, etc. We believe that by supporting post construction variances we would be encouraging developers to build structures that disregard the Neighborhood plan and the COA building codes.

We respectfully request that the Board of Adjustment honor the Chestnut Neighborhood Plan and the Chestnut NPCT by denying the two variances requested for 2102 E. 13th St.

Sincerely,

Sarah Searcy  
Chair, Chestnut Neighborhood Plan Contact Team

## PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing; and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: [www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development).

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

**Case Number:** C15-2010-0132, 2102 E 13<sup>th</sup> St

**Contact:** Susan Walker, 512-974-2202

**Public Hearing:** Board of Adjustment, December 13th, 2010

Malter White, Kilihi  
Your Name (please print)

☐ I am in favor  
☒ Object

1208 Chestnut Ave  
Your address (es) affected by this application

Walter White

Kilihi  
Signature

12-3-10  
Date

Daytime Telephone: 797-0641

Comments: There is too much development in the neighborhood, taking green space, polluting the air, increasing traffic and noise, and raising our taxes. This is a quality of life issue. The city council is allowing too much development in central east austin.

**If you use this form to comment, it may be returned to:**

City of Austin-Planning & Development Review Department/ 1st Floor  
Susan Walker  
P. O. Box 1088  
Austin, TX 78767-8810

CASE # C15-2010-0132

ROW-10503693

TP-02-0909-3002

CITY OF AUSTIN  
APPLICATION TO BOARD OF ADJUSTMENT  
GENERAL VARIANCE/PARKING VARIANCE

**WARNING: Filing of this appeal stops all affected construction activity.**

**PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED INFORMATION COMPLETED.**

STREET ADDRESS: 2102 A/B East 13<sup>th</sup> St., Austin, TX 78702-1710

LEGAL DESCRIPTION: Subdivision – A.E. Habicht

Lot(s) 2 Block 6 Outlot 34 Division B

I/We, Mike Collins on behalf of myself/ourselves as authorized agent for

WSC REO LLC and Tania & Jeff Culbertson, affirm that on October 14, 2010,

hereby apply for a hearing before the Board of Adjustment for consideration to:

ERECT X ATTACH COMPLETE REMODEL X MAINTAIN

Obtain three (3) variances. Variance 1- to Section 2.1, Subchapter F to increase the allowable FAR from a 0.4:1 FAR to a 0.59:1 FAR; Variance 2 – to Section 2.6, Subchapter F to allow an encroachment of 0'- 2' along a sloping roof edge over a distance of 14'; and, Variance 3 – to Section 25-2-773(D) to connect Units 2102 A/B with a breezeway in lieu of a common wall.

in a SF-3 district.  
(zoning district)

The Austin Electric Utility Department (Austin Energy) enforces electric easements and the setback requirements set forth in the Austin Utility Code, Electric Criteria Manual and National Electric Safety Code. The Board of Adjustment considers variance to the Land Development Code, and a variance granted by the Board of Adjustment does not waive the requirements enforced by Austin Energy. Please contact Lena Lund with Austin Energy at 322-6587 before filing your application with the Board of Adjustment if your request is for a reduction in setbacks or height limits.

**NOTE: The Board must determine the existence of, sufficiency of and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional support documents.**

VARIANCE FINDINGS: I contend that my entitlement to the requested variance is based on the following findings (see page 5 of application for explanation of findings):

**REASONABLE USE:**

1. The zoning regulations applicable to the property do not allow for a reasonable use because:

Buildings were permitted and constructed under previous regulations and can not fully comply with the 2008 McMansion ordinance, preventing the issuing of a CO on 2102A. Without the CO, 2102 A remains unoccupied.

**HARDSHIP:**

2. (a) The hardship for which the variance is requested is unique to the property in that:

The construction of the units was performed under older regulations. The downturn in the economy and subsequent foreclosure on Unit 2102A prevented the unit from being finalized as a duplex unit.

- (b) The hardship is not general to the area in which the property is located because:

Possession of the property was by default and the current owners of 2102A have never been in position to control the direction or speed of this property's development.

**AREA CHARACTER:**

3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

Several properties in close proximity to 2102 A/B East 13<sup>th</sup> St., permitted in the same time period, have similar issues. There is no evidence of a negative impact on the character of the neighborhood by those homes.

**PARKING:** (Additional criteria for parking variances only.)

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed Section 479 of Chapter 25-6 with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonable require strict or literal interpretation and enforcement of the specific regulation because:

N/A

2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

N/A

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

N/A

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

N/A

**NOTE:** The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

**APPLICANT CERTIFICATE** – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed Mike Collins Mail Address 5001 Jeffery Pl.

City, State & Zip West Lake Hills, TX 78746

Printed Mike Collins Phone (414) 801-2012 Date 10-13-10

**OWNERS CERTIFICATE** – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed Tamara Dotter Mail Address 600 Round Rock W. Dr. #601

City, State & Zip Round Rock, TX 78681

Printed Tamara Dotter Phone (512) 257-3278 Date 10-13-10

**GENERAL INFORMATION FOR SUBMITTAL OF A VARIANCE REQUEST  
TO THE BOARD OF ADJUSTMENT**



2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

N/A

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

N/A

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

N/A

**NOTE:** The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

**APPLICANT CERTIFICATE** – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed \_\_\_\_\_ Mail Address \_\_\_\_\_

City, State & Zip \_\_\_\_\_

Printed \_\_\_\_\_ Phone \_\_\_\_\_ Date \_\_\_\_\_

**OWNERS CERTIFICATE** – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed T. Culbertson Mail Address 202 E. 13<sup>th</sup>, B

City, State & Zip Austin, TX 78702

Printed Tania Culbertson & Jeff Culbertson Phone 512-698-4539 Date 11/16/10

**GENERAL INFORMATION FOR SUBMITTAL OF A VARIANCE REQUEST  
TO THE BOARD OF ADJUSTMENT**

(The following is intended to provide assistance in explaining the variance process. These suggestions are not intended to be a complete or exhaustive guide in assisting you through this process.)

#### **VARIANCE REQUIREMENTS:**

##### **General Requirements:**

- A. A variance may be granted if, because of special circumstances of a property, the strict application of the Land Development Code regulations deprives the property owner of privileges that are enjoyed by another person who owns property in the area that has the same zoning designation as the property for which the variance is requested.
- B. A variance to a regulation may not grant special privileges that are inconsistent with the limitations on other properties in the area or in the district in which the property is located.

##### **Required Findings:**

The Board of Adjustment is also required to make findings discussed below in order to grant a variance. Applicants must provide the Board with proposed findings.

#### **SUBMITTAL REQUIREMENTS:** (Failure to complete the application or to submit all the required materials will result in non-acceptance of the application.)

- (1) A completed application indicating all variances being requested. An application must include proposed findings that will support requested variances. The required findings must address each variance being sought.
- (2) A site plan to scale indicating present and proposed construction and location and use of structures on adjacent lots.
- (3) A tax plat with subject property clearly marked indicating property within a 300-foot radius. These are available from the Travis Central Appraisal District at 8314 Cross Park Drive (834-9138).
- (4) Check made payable to the City of Austin for the Board of Adjustment application fee. (Residential zoning - \$360. All other zonings - \$660.)
- (5) Other Information – Although the following is not a requirement of submittal you may wish to include additional information that may assist the Board in making an informed decision regarding your request such as: photos of the site or visual aids to support the request, letters from the neighborhood association(s) etc. Any additional information you wish to submit must be in our office one week prior to the meeting. The Board will receive a packet with all information that has been submitted on the Thursday prior to the meeting.

Variances approved by the Board are limited to and conditioned upon the plans and specifications presented by the applicants, except as modified by the Board.

**REQUIRED FINDINGS:** All variance findings must be met in order for the Board to grant a variance. An application must include proposed findings that will support the requested variance. Incomplete applications will not be accepted.

##### **Reasonable Use:**

Application must demonstrate to the Board how the zoning regulations applicable to the property do not allow for a reasonable use of the property. [Note: The Board cannot approve a variance for a use that is not allowed in the zoning district in which the property is located. This requires a change in zoning.]

##### **Hardship:**

- a. Application must demonstrate to the Board how the hardship for which the variance is requested is unique to the property. Hardship should be specific to the property for which the variance is being requested. (For example, topography, lot configuration, or any physical constraint that would limit the placement of the structure or prevent compliance with required site development regulations, etc.) A strictly financial or personal reason is not a valid hardship.

- b. Application must demonstrate to the Board why the hardship is not general to the area in which the property is located. Describe how the hardship relating to the site is different from other properties in the area.

**Area Character:**

Application must demonstrate to the Board how the variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the zoning regulations of the zoning district in which the property is located.

**NOTE:** Parking variances require additional findings to be made. The additional findings are listed on the application and must also be completed for submittal of the application.

**Board of Adjustment Staff:**

**Susan Walker, Planner  
974-2202**

**Diana Ramirez, Administrative Specialist, Board Secretary  
974-2241**

**Fax #974-6536**

**Watershed Protection and Development Review Department  
One Texas Center  
505 Barton Springs Road, 2<sup>nd</sup> Floor**

**Mailing Address:  
P. O. Box 1088  
Austin, TX 78767-1088**

November 9, 2010

Board of Adjustment  
City of Austin  
Austin, Texas

RE: 2102 E. 13<sup>th</sup> Street

To Whom It May Concern,

We are the owners of Unit B associated with the "Condo" duplex development located at 2102 E. 13<sup>th</sup> Street. This 2-unit development is a product of a developer who has since left town and the development is undergoing a great deal of struggle in attempting to reach resolution for the finalization of Unit A.

We purchased our Unit B in August of 2007 and were issued a Certificate of Occupancy (CO) for a single-family home to secure the right of occupancy after the closing on the property. This CO was vetted through the proper City of Austin process and signed off by all City of Austin personnel, including the City of Austin Inspectors who had clear and real knowledge of the situation.

The abutting Unit A has not been occupied and currently is seeking a resolution to matters associated with the Land Development Code that preclude a clear Certificate of Occupancy from being issued for Unit A. The following is our position associated with the endeavor of procuring The Unit A Certificate Of Occupancy within the "Condo" duplex project boundary:

- 1) As owners with a vested interest in the "Condo" duplex property, we reserve the right to review any and all material information provided to the City of Austin as this information is directly associated with the Condominium Regime and directly affects our financial investment. Any material information provided to the City of Austin without the consent of all the landholders within the project is not

considered to be accurate information by us until all property owners have agreed and signed off on the material.

- 2) Because all applications to secure approval for building permits, variances, or the like require the signature of all parties within the "Condo" duplex project, we have been asked by the owners of Unit A to approve the application for variances which they are bringing before the Board of Adjustment. **We are only parties to this application because we do not wish to stand in the way of the attempts of the owners of Unit A to acquire a CO for their structure. Unit A was finished after we had already purchased Unit B and had received our CO, and while we would like to see a successful resolution to the mistakes associated with the completion of Unit A, we also wish to stress that we were not parties to any of the decisions or actions that produced those mistakes.**
- 3) Our unit, Unit B, has a CO issued for the structure. This CO is for a single-family home. This CO is legal in every aspect of the City of Austin and cannot be terminated or revoked at anytime as this CO was issued as such with full knowledge of the City of Austin building permit review staff and inspectors. We are legally occupying our Unit B consistent with all City of Austin rules, regulations, ordinances, requirements, policies, and interpretations.
- 4) The legal rights of Unit B should never be compromised by any action associated with any permit, variance, or the like, for any effort, now or in the future, to gain acceptance of the City of Austin for the issuance of a CO for Unit A.
- 5) The current or future CO for Unit B cannot be revoked at anytime based on any cause or action by the City of Austin if a determination is made that any past or future permit may have been issued in error. This directly affects our financial investment for which the City of Austin has responsibility, culpability, and liability if a determination is made, now or in the future, that any permit may have been issued in error.

It is with this expressed intent that we want to notify and disclose to the Board of Adjustment our position on the matter associated with the Unit A variance application to bring the entire 2102 E. 13<sup>th</sup> Street "Condo" duplex project to full development. It is not

our intent to stand in the way of the owners of Unit A in their attempts to secure a CO for their structure. Rather, we wish to stress that we were not parties to any of the decisions that led to the construction of Unit A, and we want to ensure that our interests are protected during the variance application process. We hope that the owners of Unit A and the Board of Adjustment are able to successfully bring this project to completion.

Should you have any questions, or need further clarification of our position, please contact us directly.

Sincerely,

A handwritten signature in black ink, appearing to be 'Jeff & Tania Culbertson', written in a cursive style.

Jeff & Tania Culbertson



2102 E 13<sup>th</sup> Street, Unit B  
Austin, TX 78703  
512-215-2739  
[tculbertson@mail.utexas.edu](mailto:tculbertson@mail.utexas.edu)  
[jeff.culbertson@fg2.com](mailto:jeff.culbertson@fg2.com)

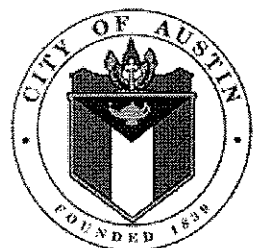


## BOARD OF ADJUSTMENTS

CASE#: C15-2010-0132  
 LOCATION: 2102 E 13TH STREET  
 GRID: K23  
 MANAGER: SUSAN WALKER



 SUBJECT TRACT  
 ZONING BOUNDARY



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

2006





Susan/ Sylvia,

Here's the timeline I've arrived at from the documents and dates I'm aware of.

Mike

### 2102A/B East 13<sup>th</sup> St. Timeline Information

- Austin Energy Application Approved: Dated 1<sup>st</sup> July 25, 2006; 2<sup>nd</sup> Sept. 27, 2007
- Survey showing two (2) structures on lot: Prepared on July 25, 2007
- Culbertson's signed contract for 2102B on July 31, 2007. ( unit 'A' existed)
- Survey stamped for City of Austin permit approval: Dated Aug. 16, 2007
- Permit request to finish out 2102B: Dated Aug. 16, 2007
- Culbertson's closed on Aug. 27, 2007, but were unable to move due to lack of a CO.
- Ian Mitchell submits an altered survey to apply for a Single Family CO. A SF CO was issued on Aug. 31, 2007. ( CO states sq. footage was 1710 sq. ft.)
- City of Austin Residential Permit: Dated 1<sup>st</sup> Aug. 17, 2007; 2<sup>nd</sup> Sept.28, 2007 for remodel of 2102B; FAR form: Dated Aug.27, 2007
- Application for residential construction permit for 2102A (which already exists): Dated Sept. 27, 2007
- Building permit Issued for 2102A: Dated Sept. 28, 2007
- Mechanical permit Issued for 2102A: Dated Jan. 16, 2008
- Electrical permit Issued for 2102A: Dated Jan. 18, 2008
- Plumbing permit Issued for 2102A: Dated Jan. 28, 2008
- Loan Note for 'Condo Project @ 2102 E. 13<sup>th</sup> St.' in the amount of \$217,000.00: Dated Aug. 28, 2008
- Loan default action against Ian Mitchell Filed on July 13, 2009
- Trustee's deed dated Aug. 4, 2009 transfers ownership of 2102A to WSC REO LLC.

**Walker, Susan**

---

**From:** collinsmc@att.net  
**Sent:** Wednesday, October 27, 2010 3:22 PM  
**To:** Walker, Susan; collinsmc@att.net  
**Subject:** 2102 A/B zipper wall area pictures

Susan,

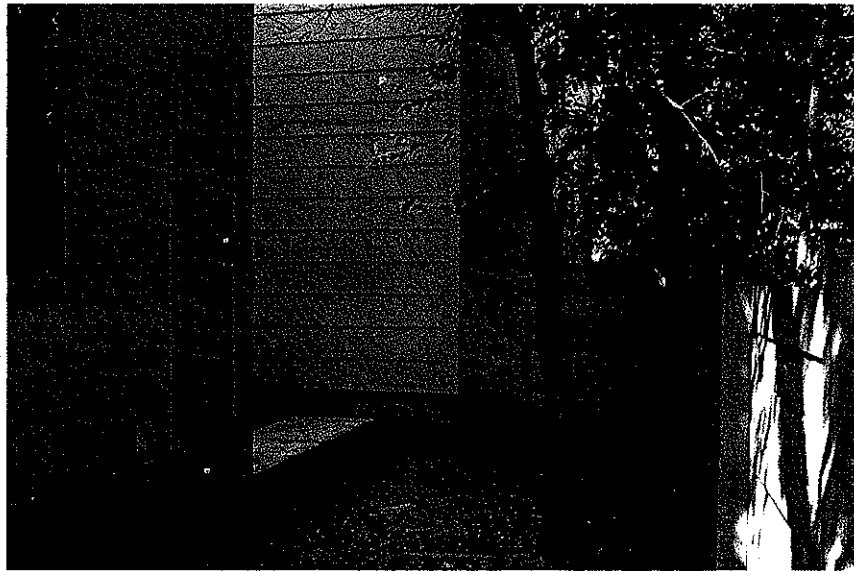
Here are the photo's showing the area we're dealing with for the zipper wall issue at 2102 East 13th St.

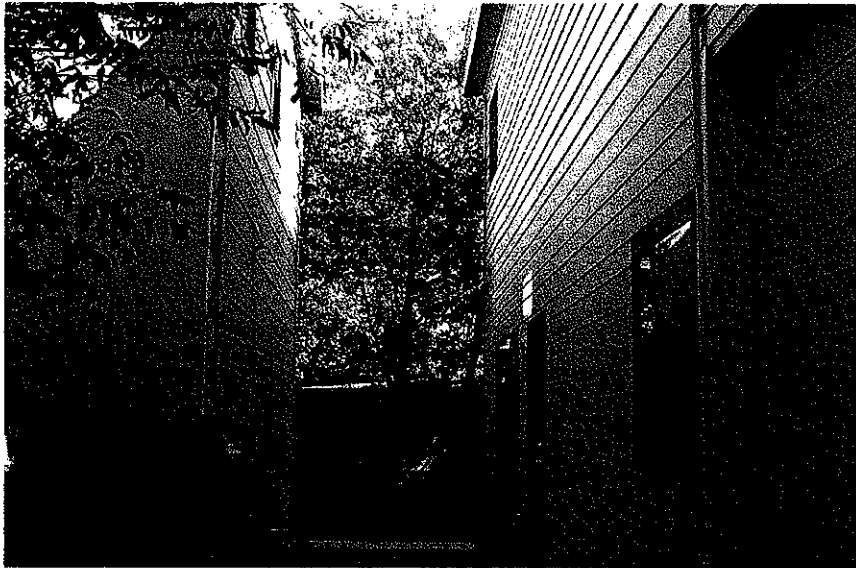
Mike

---

Get Kodak prints of this picture, and all your other favorites, at [www.kodakgallery.com!](http://www.kodakgallery.com!)









**How to save a picture**

Simply right-click on it, then "Save Image As...". (Mac users: drag the picture to your desktop.)

## Free Software!

Organize, print, and share your digital photos using FREE Kodak EasyShare software. [Download the software](#)

**Kodak** EasyShare  
Software



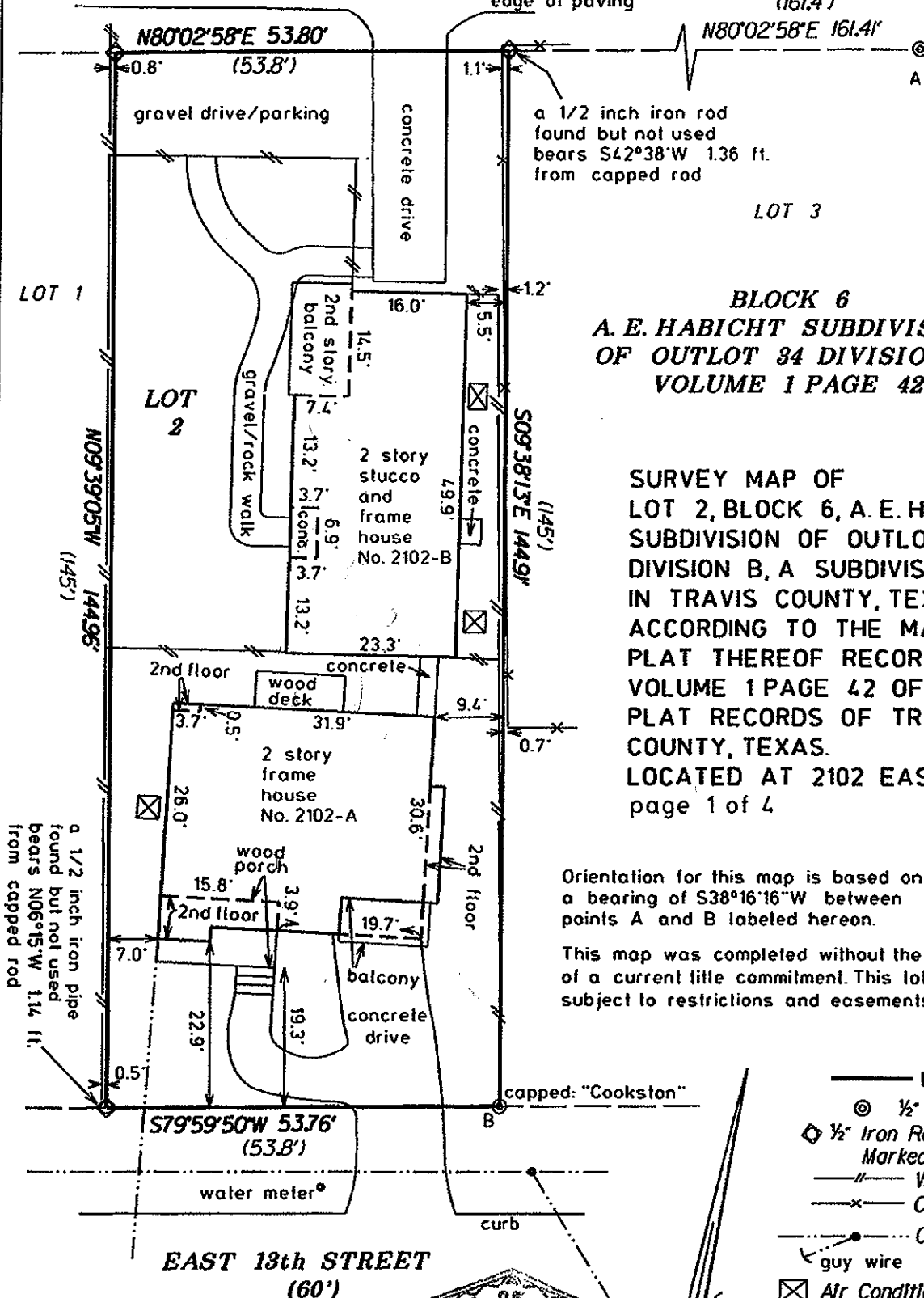
## Get 20 Free Prints

Get started for free at [kodakgallery.com](http://kodakgallery.com) and we'll give you 20 free prints (new members only). Plus, create photo mugs, books, cards, and more!



ALLEY (20')

SCALE: 1"=20'



*To not provide common roof @ 2nd level but at a lower level*

**BLOCK 6  
A. E. HABICHT SUBDIVISION  
OF OUTLOT 34 DIVISION B  
VOLUME 1 PAGE 42**

**SURVEY MAP OF  
LOT 2, BLOCK 6, A. E. HABICHT  
SUBDIVISION OF OUTLOT 34,  
DIVISION B, A SUBDIVISION  
IN TRAVIS COUNTY, TEXAS,  
ACCORDING TO THE MAP OR  
PLAT THEREOF RECORDED IN  
VOLUME 1 PAGE 42 OF THE  
PLAT RECORDS OF TRAVIS  
COUNTY, TEXAS.  
LOCATED AT 2102 EAST 13TH STREET.  
page 1 of 4**

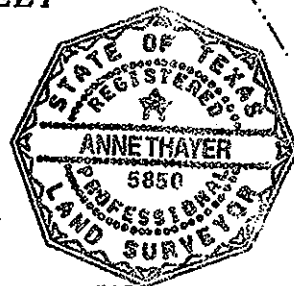
Orientation for this map is based on  
a bearing of S38°16'16"W between  
points A and B labeled hereon.  
  
This map was completed without the benefit  
of a current title commitment. This lot may be  
subject to restrictions and easements not shown hereon.

- LEGEND**
- ⊙ 1/2" Iron Rod Found
  - ⊠ 1/2" Iron Rod Set with Plastic Cap Marked "Holt Carson, Inc."
  - Wood Fence
  - Chain Link Fence
  - Overhead Utility Line
  - guy wire
  - ⊠ Air Conditioning Unit and Pad (Record Distance)

PREPARED: JUNE 14, 2010  
BY:

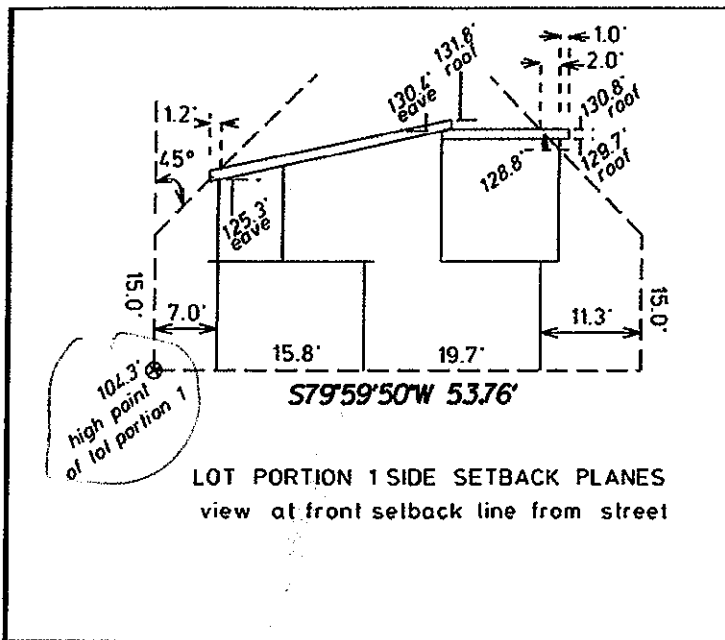
*Anne Thayer*

Anne Thayer  
Registered Professional Land Surveyor No. 5850

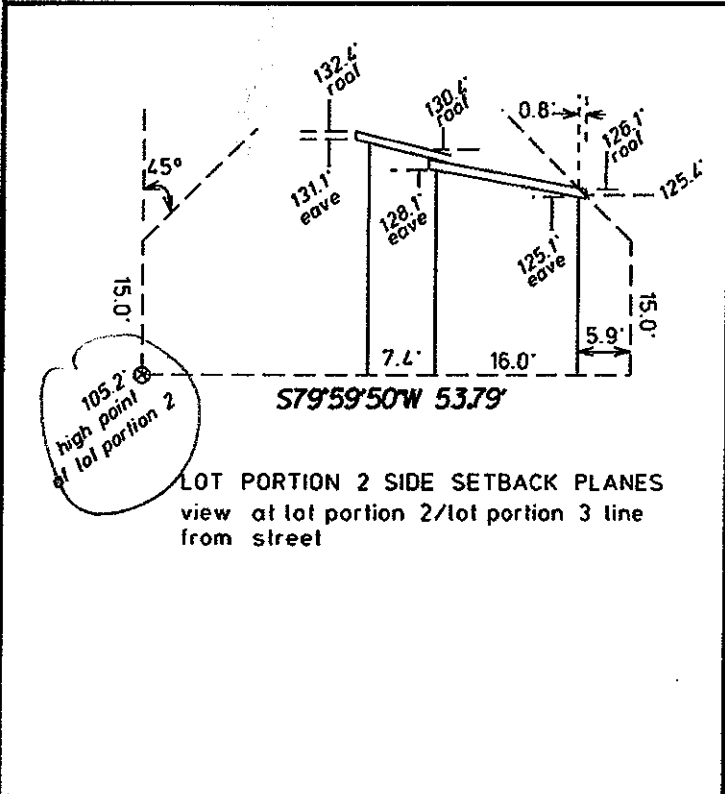


**HOLT CARSON, INC.  
1904 FORTVIEW ROAD  
AUSTIN, TX 78704  
(512) 442-0990**

C801084

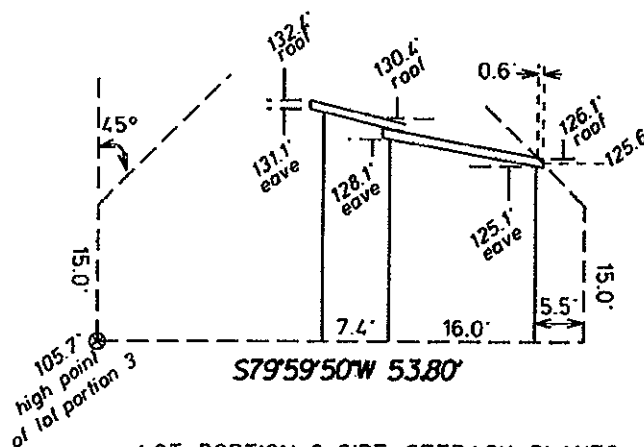


LOT PORTION 1 SIDE SETBACK PLANES  
view at front setback line from street



LOT PORTION 2 SIDE SETBACK PLANES  
view at lot portion 2/lot portion 3 line  
from street

SCALE: 1"=20'



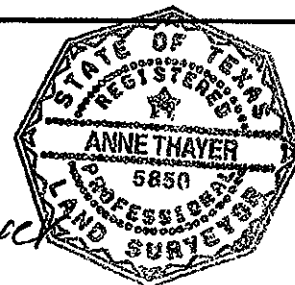
LOT PORTION 3 SIDE SETBACK PLANES  
view at rear wall line of Unit B

SURVEY MAP OF  
LOT 2, BLOCK 6, A. E. HABICHT  
SUBDIVISION OF OUTLOT 34,  
DIVISION B, A SUBDIVISION  
IN TRAVIS COUNTY, TEXAS,  
ACCORDING TO THE MAP OR  
PLAT THEREOF RECORDED IN  
VOLUME 1 PAGE 42 OF THE  
PLAT RECORDS OF TRAVIS  
COUNTY, TEXAS.  
LOCATED AT 2102 EAST 13TH STREET.  
page 4 of 4

PREPARED: JUNE 14, 2010  
BY:

*Anne Thayer*

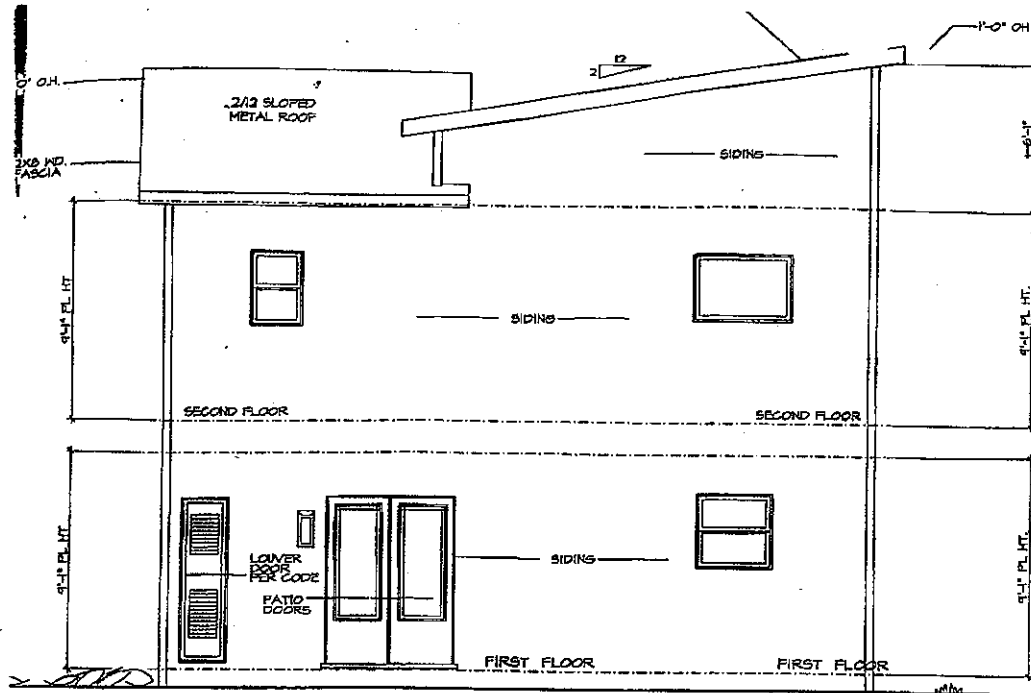
Anne Thayer  
Registered Professional Land Surveyor No. 5850



HOLT CARSON, INC.  
1904 FORTVIEW ROAD  
AUSTIN, TX 78704  
(512) 442-0990

C801084



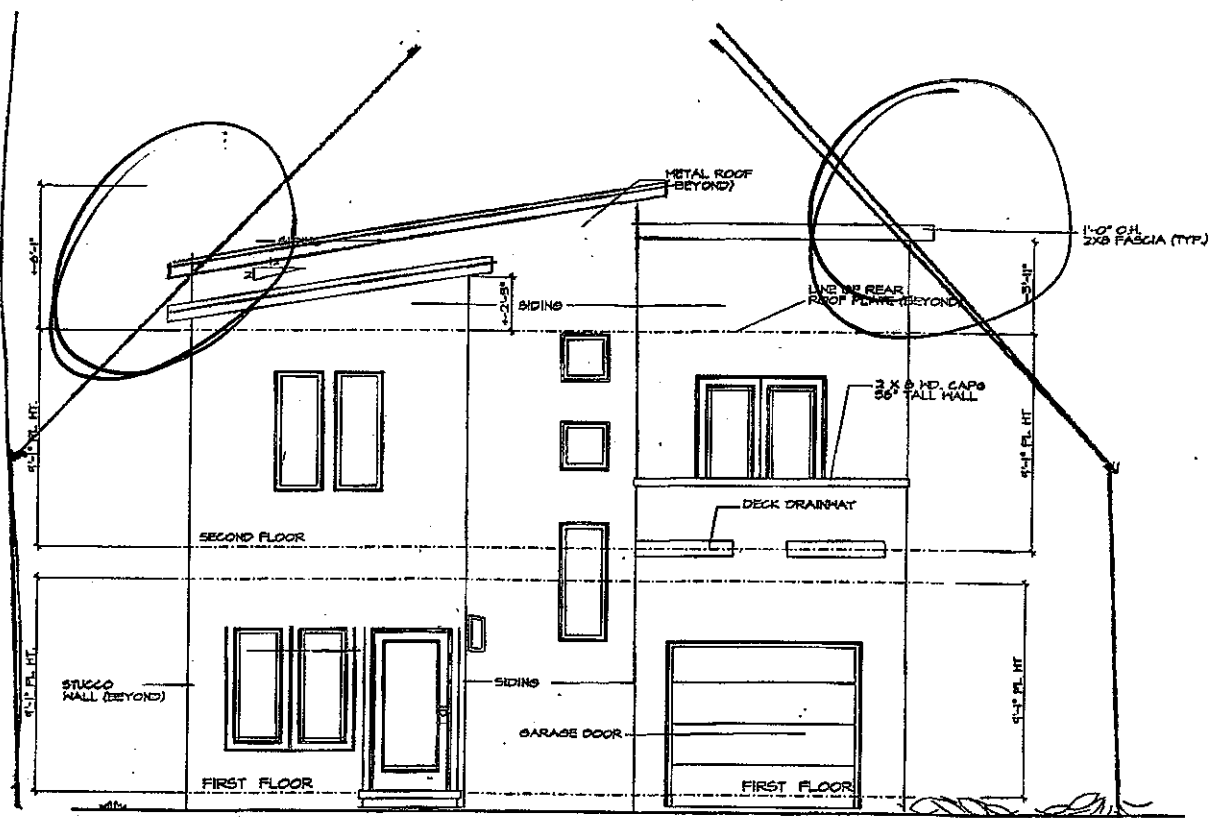


## REAR ELEVATION

SCALE:

1/4" = 1'-0"

1/8



## FRONT ELEVATION

SCALE:

1/4" = 1'-0"

1/8

SURVEY MAP OF  
LOT 2, BLOCK 6, A. E. HABICHT  
SUBDIVISION OF OUTLOT 34,  
DIVISION B, A SUBDIVISION  
IN TRAVIS COUNTY, TEXAS,  
ACCORDING TO THE MAP OR  
PLAT THEREOF RECORDED IN  
VOLUME 1 PAGE 42 OF THE  
PLAT RECORDS OF TRAVIS  
COUNTY, TEXAS.  
LOCATED AT 2102 EAST 13TH STREET.  
page 2 of 4

LAND AREA: 7790 sq. ft.

Unit A

- a) first floor footprint: 1020 sq ft
- b) 2nd floor "footprint" 1070 sq ft.
- c) 3rd floor: none
- d) basement: none
- e) garage: attached; included in first floor area "a"
- f) decks (at 100%): 60 sq ft..
- g) breezeway: none
- h) covered patio: none
- i) covered porches 150 sq. ft
- j) balconies: 70 sq. ft.
- k) pools: none
- l) other covered areas: none

TOTAL BUILDING AREA: 2370 sq. ft

Unit B

- a) first floor footprint: 1030 sq ft
- b) 2nd floor "footprint" 1060 sq ft.
- c) 3rd floor: none
- d) basement: none
- e) garage: none
- f) decks (at 100%): none
- g) breezeway: none
- h) covered patio:
- i) covered porches: 20 sq. ft
- j) balconies: 130 sq. ft.
- k) pools: none
- l) other covered areas: none

TOTAL BUILDING AREA: 2240 sq. ft.

Unit A footprint: 1020 sq. ft.  
Unit B footprint: 1030 sq. ft.  
concrete areas: 840 sq. ft.  
covered wood porch) 150 sq. ft.  
wood deck) 60 sq. ft.  
gravel drive/parking area: 500 sq. ft.

The above improvements constitute 3600 sq. ft.  
or 46.2% of the land area

(with wood deck included at 50%, the improvements  
constitute 3570 sq. ft or 45.8% of the land area)



A handwritten signature in cursive script, appearing to read "Anne Thayer".

## CITY OF AUSTIN

8.17.07

## RESIDENTIAL PERMIT APPLICATION "A"

BP Number 2007-144338 RM  
Building Permit No. 2007144343  
Plat No. 8116/07 Date 8/16/07  
Reviewer SRB

## PRIMARY PROJECT DATA

Service Address 2102 East 13th Tax Parcel No. \_\_\_\_\_

## Legal Description

Lot 2 Block B Subdivision OLT 34 DSV B Section \_\_\_\_\_ Phase \_\_\_\_\_If in a Planned Unit Development, provide Name and Case No.  
(attach final approved copies of subdivision and site plan)

If this site is not a legally subdivided lot, you must contact the Development Assistance Center for a Land Status Determination.

## Description of Work

☐ New Residence  
☐ Duplex  
☐ Garage ☐ attached ☐ detached  
☐ Carport ☐ attached ☐ detached  
☐ Pool

☒ Remodel (specify) INTERIOR FINISH FOR  
R.P. - 06 - 018884  
☐ Addition (specify) \_\_\_\_\_  
☐ Other (specify) \_\_\_\_\_

Zoning (e.g. SF-1, SF-2...) \_\_\_\_\_

- Height of Principal building \_\_\_\_\_ ft. # of floors \_\_\_\_\_ Height of Other structure(s) \_\_\_\_\_ ft. # of floors \_\_\_\_\_

- Does this site currently have water and wastewater availability? ☐ Yes ☐ No. If no, please contact the Austin Water Utility at 512-972-0000 to apply for water and/or wastewater tap application, or a service extension request.- Does this site have a septic system? ☐ Yes ☐ No. If yes, for all sites requiring a septic field you must obtain an approved septic permit prior to a zoning review.Does this site have a Board of Adjustment ruling? ☐ Yes ☐ No. If yes, attach the B.O.A. documentationWill this development require a cut and fill in excess of 4 feet? ☐ Yes ☐ NoDoes this site front a paved street? ☐ Yes ☐ No A paved alley? ☐ Yes ☐ NoIs this property within the Residential Design and Compatibility Standards Ordinance Boundary Area? ☐ Yes ☐ NoVALUATIONS FOR  
REMODELS ONLY

Building \$ \_\_\_\_\_  
Electrical \$ \_\_\_\_\_  
Mechanical \$ \_\_\_\_\_  
Plumbing \$ \_\_\_\_\_  
Driveway/  
Sidewalk \$ \_\_\_\_\_  
TOTAL \$ \_\_\_\_\_  
(labor and materials)

VALUATIONS FOR NEW CONSTRUCTION  
OR ADDITIONS ONLY

Lot Size 7757.5 sq.ft.  
Job Valuation - Principal Building \$ \_\_\_\_\_  
(Labor and materials)  
Job Valuation - Other Structure(s) \$ \_\_\_\_\_  
(Labor and materials)

TOTAL JOB VALUATION  
(sum of remodels and additions)  
\$ \_\_\_\_\_  
(Labor and materials)

## PERMIT FEES

(For office use only)

## NEW/ADDITIONS REMODELS

Building \$ \_\_\_\_\_ \$ \_\_\_\_\_  
Electrical \$ \_\_\_\_\_ \$ \_\_\_\_\_  
Mechanical \$ \_\_\_\_\_ \$ \_\_\_\_\_  
Plumbing \$ \_\_\_\_\_ \$ \_\_\_\_\_  
Driveway  
& Sidewalk \$ \_\_\_\_\_ \$ \_\_\_\_\_  
TOTAL \$ \_\_\_\_\_ \$ \_\_\_\_\_

## OWNER / BUILDER INFORMATION

OWNER Name MGE DEVELOPMENT Telephone (h) 632-0066  
(w) \_\_\_\_\_  
BUILDER Company Name MGE DEVELOPMENT Telephone 632-0066  
Contact/Applicant's Name IAN MITCHELL Pager \_\_\_\_\_  
FAX \_\_\_\_\_  
DRIVEWAY/  
SIDEWALK Contractor FRANCISCO SALAS Telephone \_\_\_\_\_  
CERTIFICATE OF OCCUPANCY Name MGE DEVELOPMENT Telephone 632-0066  
Address 1200 Bob Harrison, Unit B City AUSTIN ST TK ZIP 7870

If you would like to be notified when your application is approved, please select the method:

☐ telephone☒ e-mail: mgedevelopment@gmail.comYou may check the status of this application at [www.ci.austin.tx.us/development/pierivr.htm](http://www.ci.austin.tx.us/development/pierivr.htm)

**CITY OF AUSTIN  
RESIDENTIAL PERMIT APPLICATION "B"**

**CITY OF AUSTIN  
RESIDENTIAL PERMIT APPLICATION**

I understand that in accordance with Sections 25-1-411 and 25-11-66 of the Land Development Code (LDC), non-compliance with the LDC may be cause for the Building Official to suspend or revoke a permit, and/or license. I understand that I am responsible for complying with any subdivision notes, deed restrictions, restrictive covenants and/or zoning conditional overlays prohibiting certain uses and/or requiring certain development restrictions (i.e., height, access, screening, etc.) on this property. If a conflict should result with any of these restrictions, it will be my responsibility to resolve it. I understand that, if requested, I must provide copies of all subdivision plat notes, deed restrictions, restrictive covenants, and/or zoning conditional overlay information that may apply to this property.

I acknowledge that this project qualifies for the Site Plan Exemption as listed in Section 25-5-2 of the LDC.

I understand that nothing may be built upon or over an easement. I further understand that no portion of any roof structure may overhang in any public utility or drainage easement.

I acknowledge that customer will bear the expense of any necessary relocation of existing utilities to clear this driveway location and/or the cost to repair any damage to existing utilities caused during construction.

I also understand that if there are any trees greater than 19 inches in diameter located on the property and immediately adjacent to the proposed construction, I am to schedule a Tree Ordinance review by contacting (512) 974-1876 and receive approval to proceed.

I agree that this application will expire on the 181st day after the date that the application is filed if the application is not approved and an extension is not granted. If the application expires, a new submittal will be required.

APPLICANT'S SIGNATURE  DATE 8-16-07

HOME BUILDER'S STATE REGISTRATION NUMBER (required for all new construction) \_\_\_\_\_

**Rejection Notes/Additional Comments (for office use only):**

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Service Address \_\_\_\_\_

Applicant's Signature  Date 8-16-07

**CITY OF AUSTIN  
RESIDENTIAL PERMIT APPLICATION "D"  
FLOOR AREA RATIO INFORMATION**

TO BE COMPLETED FOR ALL PROPERTIES LOCATED WITHIN THE RESIDENTIAL DESIGN AND COMPATIBILITY STANDARDS ORDINANCE BOUNDARY AREA.

Service Address

2102 E. 13th

Applicant's Signature

[Signature]

Date 8-16-07

**GROSS FLOOR AREA AND FLOOR AREA RATIO as defined in the Austin Zoning Code.**

	<u>Existing</u>	<u>New / Addition</u>
<b>I. 1<sup>st</sup> Floor Gross Area</b>		
a. 1 <sup>st</sup> floor area (excluding covered or uncovered finished ground-floor porches)	<u>640</u> <del>1111</del> sq.ft.	sq.ft.
b. 1 <sup>st</sup> floor area with ceiling height over 15 feet.	sq.ft.	sq.ft.
c. TOTAL (add a and b above)	sq.ft.	sq.ft.
<b>II. 2<sup>nd</sup> Floor Gross Area See note <sup>1</sup> below</b>		
d. 2 <sup>nd</sup> floor area (including all areas covered by a roof i.e. porches, breezeways, mezzanine or loft)	<u>920</u> sq.ft.	sq.ft.
e. 2 <sup>nd</sup> floor area with ceiling height > 15 feet.	sq.ft.	sq.ft.
f. TOTAL (add d and e above)	sq.ft.	sq.ft.
<b>III. 3<sup>rd</sup> Floor Gross Area See note <sup>1</sup> below</b>		
g. 3 <sup>rd</sup> floor area (including all areas covered by a roof i.e. porches, breezeways, mezzanine or loft).	sq.ft.	sq.ft.
h. 3 <sup>rd</sup> floor area with ceiling height > 15 feet	sq.ft.	sq.ft.
i. TOTAL (add g and h above)	sq.ft.	sq.ft.
<b>IV. Basement Gross Area</b>		
j. Floor area outside footprint of first floor or greater than 3 feet above grade at the average elevation at the intersections of the minimum front yard setback line and side property lines.	sq.ft.	sq.ft.
<b>V. Garage</b>		
k. <input checked="" type="checkbox"/> attached (subtract 200 square feet if used to meet the minimum parking requirement)	<u>350-200</u> <u>150</u> sq.ft.	sq.ft.
l. <input type="checkbox"/> detached (subtract 450 square feet if more than 10 feet from principal structure)	sq.ft.	sq.ft.
<b>VI. Carport (open on two or more sides without habitable space above it subtract 450 square feet)</b>		
	sq.ft.	sq.ft.
<b>VII. TOTAL</b>	<u>1710</u> sq.ft.	sq.ft.

**TOTAL GROSS FLOOR AREA (add existing and new from VII above)**

1710 sq. ft.

**GROSS AREA OF LOT**

7757.5 sq. ft.

**FLOOR AREA RATIO (gross floor area / gross area of lot)**

22 %

<sup>1</sup> If a second or third floor meets all of the following criteria it is considered to be attic space and is not calculated as part of the overall Gross Floor Area of the structure.

- It is fully contained within the roof structure and the roof has a slope of 3 to 12 or greater
- It only has one floor within the roof structure
- It does not extend beyond the foot print of the floors below
- It is the highest habitable portion of the building; and
- Fifty percent or more of the area has a ceiling height of seven feet or less.

3291  
2103

LAW MITCHELL



Kramer Service Center  
2412 Kramer Lane, Bldg. "C"  
Austin, Texas 78758  
(512) 585-7206

### Austin Energy

### Electric Service Planning Application (ESPA)

(Please Print or Type)

St. Elmo Service Center  
4411-B Meimardus Drive  
Austin, Texas 78744  
(512) 506-7500

**For Residential or Small Commercial "SERVICE ONLY" under 350 amps 1Ø or 225 amps 3Ø**

Customer Name MGE DEVELOPMENT Phone 632-0066  
Address ~~2102~~ 2102 EAST 13<sup>th</sup>  
Legal Description OLT 34 DEV. B  
Lot 2 Block 6 Commercial/Residential? RES.

Service Main Size ~~400~~ 350 (amps) Service Conductor COMPACTED AL (type & size) 4Ø  
Service Length 60 (ft.) Number of Meters? 2 Multi-Fuel Y N  
Overhead/Underground? X Voltage \_\_\_\_\_ ☒ Single-phase (1Ø) ☐ Three-phase (3Ø)  
Total Square Footage 3101 Total A/C Load 2 (# of units) 7 (Tons)  
Largest A/C unit 4 (Tons) LRA of Largest A/C Unit 40 (amps)  
Electric Heating GAS (kw) Other GAS (kw)

Comments: \_\_\_\_\_

[Signature]  
ESPA Completed by (Signature & Print name)

7-25-06 632-0066  
Date Phone

AE Representative

Date

Approved: ☐ Yes ☐ No (Remarks on back)

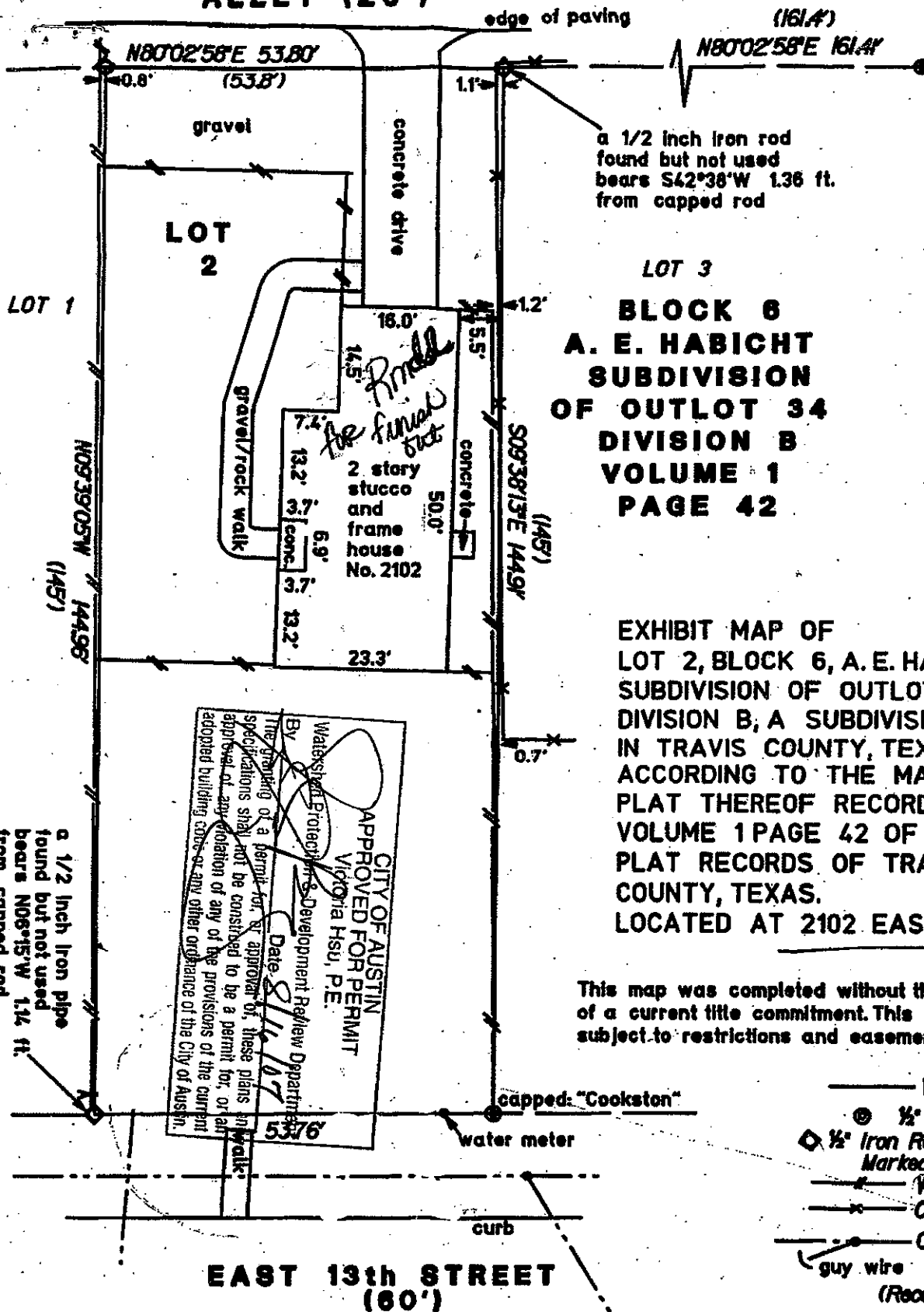
Phone

**Application expires 90 days after date of Approval**



ALLEY (20')

SCALE: 1"=20'



**BLOCK 6  
A. E. HABICHT  
SUBDIVISION  
OF OUTLOT 34  
DIVISION B  
VOLUME 1  
PAGE 42**

EXHIBIT MAP OF  
LOT 2, BLOCK 6, A. E. HABICHT  
SUBDIVISION OF OUTLOT 34,  
DIVISION B, A SUBDIVISION  
IN TRAVIS COUNTY, TEXAS,  
ACCORDING TO THE MAP OR  
PLAT THEREOF RECORDED IN  
VOLUME 1 PAGE 42 OF THE  
PLAT RECORDS OF TRAVIS  
COUNTY, TEXAS.  
LOCATED AT 2102 EAST 13TH STREET.

This map was completed without the benefit  
of a current title commitment. This lot may be  
subject to restrictions and easements not shown hereon.

- LEGEND**
- 1/2" Iron Rod Found
  - ◊ 1/2" Iron Rod Set with Plastic Cap Marked "Holt Carson, Inc."
  - Wood Fence
  - Chain Link Fence
  - Overhead Utility Line
  - guy wire (Record Distance)

see map A801084 for complete boundary survey

PREPARED: July 25, 2007  
BY:

Anne Thayer  
Registered Professional Land Surveyor No. 5850

HOLT CARSON, INC.  
1904 FORTVIEW ROAD  
AUSTIN, TX 78704  
(512) 442-0990

copyright 2007 C801084

## CITY OF AUSTIN

## RESIDENTIAL PERMIT APPLICATION "A"

BP Number 2007-154424 RA  
 Building Permit No. \_\_\_\_\_  
 Plat No. \_\_\_\_\_ Date 9/27/07  
 Reviewer SPB

## PRIMARY PROJECT DATA

Service Address 2102 East 13th Tax Parcel No. \_\_\_\_\_  
 Legal Description  
 Lot 2 Block B Subdivision QUT 34 DSV B Section \_\_\_\_\_ Phase \_\_\_\_\_  
 If in a Planned Unit Development, provide Name and Case No. \_\_\_\_\_  
 (attach final approved copies of subdivision and site plan)  
 If this site is not a legally subdivided lot, you must contact the Development Assistance Center for a Land Status Determination.  
 Description of Work change of use ☒ Remodel (specify) Change of use from  
SF to Duplex  
☒ Duplex ☒ Addition (specify) TO CREATE DUPLEX  
 Garage \_\_\_\_\_ attached \_\_\_\_\_ detached  
 Carport \_\_\_\_\_ attached \_\_\_\_\_ detached  
 Pool \_\_\_\_\_ Other (specify) \_\_\_\_\_  
 Zoning (e.g. SF-1, SF-2...) SF3 N/P  
 - Height of Principal building 24 ft. # of floors 2 Height of Other structure(s) \_\_\_\_\_ ft. # of floors \_\_\_\_\_  
 - Does this site currently have water and wastewater availability? ☒ Yes \_\_\_\_\_ No. If no, please contact the  
 Austin Water Utility at 512-972-0000 to apply for water and/or wastewater tap application, or a service extension request.  
 - Does this site have a septic system? \_\_\_\_\_ Yes ☒ No. If yes, for all sites requiring a septic field you must obtain an approved septic  
 permit prior to a zoning review.  
 Does this site have a Board of Adjustment ruling? \_\_\_\_\_ Yes ☒ No If yes, attach the B.O.A. documentation  
 Will this development require a cut and fill in excess of 4 feet? \_\_\_\_\_ Yes ☒ No  
 Does this site front a paved street? ☒ Yes \_\_\_\_\_ No A paved alley? ☒ Yes \_\_\_\_\_ No  
 Is this property within the Residential Design and Compatibility Standards Ordinance Boundary Area? ☒ Yes \_\_\_\_\_ No

VALUATIONS FOR  
REMODELS ONLY

Building \$ \_\_\_\_\_  
 Electrical \$ \_\_\_\_\_  
 Mechanical \$ \_\_\_\_\_  
 Plumbing \$ \_\_\_\_\_  
 Driveway/  
 Sidewalk \$ \_\_\_\_\_  
 TOTAL \$ \_\_\_\_\_  
 (labor and materials)

VALUATIONS FOR NEW CONSTRUCTION  
OR ADDITIONS ONLY

Lot Size 7757.5 sq. ft.  
 Job Valuation - Principal Building \$ \_\_\_\_\_  
 (Labor and materials)  
 Job Valuation - Other Structure(s) \$ \_\_\_\_\_  
 (Labor and materials)  
 TOTAL JOB VALUATION  
 (sum of remodels and additions)  
 \$ 80,000.00  
 (Labor and materials)

PERMIT FEES  
(For office use only)

	NEW/ADDITIONS	REMODEL
Building	\$ <u>185</u>	\$ _____
Electrical	\$ <u>150</u>	\$ _____
Mechanical	\$ <u>66</u>	\$ _____
Plumbing	\$ <u>85</u>	\$ _____
Driveway & Sidewalk	\$ _____	\$ _____
TOTAL	\$ _____	\$ _____

## OWNER / BUILDER INFORMATION

OWNER	Name <u>MGE Development</u>	Telephone (h) <u>632-0066</u>
		(w) _____
BUILDER	Company Name <u>STINSON PROPERTY GROUP</u>	Telephone <u>632-0066</u>
	Contact/Applicant's Name <u>IAN MITCHELL</u>	Pager _____
DRIVEWAY/ SIDEWALK	Contractor <u>FRANCISCO SALAS</u>	FAX _____
		Telephone _____
CERTIFICATE OF OCCUPANCY	Name <u>MGE Development</u>	Telephone <u>632-0066</u>
	Address <u>1200 Bob Harrison, Unit B</u>	City <u>AUSTIN</u> ST <u>TK</u> ZIP <u>787</u>

If you would like to be notified when your application is approved, please select the method:

\_\_\_\_\_ telephone

☒ e-mail: mgedevelopment@gmail.comYou may check the status of this application at [www.ci.austin.tx.us/development/pierivr.htm](http://www.ci.austin.tx.us/development/pierivr.htm)



**CITY OF AUSTIN  
RESIDENTIAL PERMIT APPLICATION "D"  
FLOOR AREA RATIO INFORMATION**

TO BE COMPLETED FOR ALL PROPERTIES LOCATED WITHIN THE RESIDENTIAL DESIGN AND COMPATIBILITY STANDARDS ORDINANCE BOUNDARY AREA.

Service Address 2102 E. 13th

Applicant's Signature [Signature]

Date 8-27-07

**GROSS FLOOR AREA AND FLOOR AREA RATIO as defined in the Austin Zoning Code.**

	<u>Existing</u>	<u>New / Addition</u>
<b>I. 1<sup>st</sup> Floor Gross Area</b>		
a. 1 <sup>st</sup> floor area (excluding covered or uncovered finished ground-floor porches)	640 <del>1111</del> sq.ft.	550 sq.ft.
b. 1 <sup>st</sup> floor area with ceiling height over 15 feet.	sq.ft.	sq.ft.
c. TOTAL (add a and b above)	sq.ft.	sq.ft.
<b>II. 2<sup>nd</sup> Floor Gross Area</b> See note <sup>1</sup> below		
d. 2 <sup>nd</sup> floor area (including all areas covered by a roof i.e. porches, breezeways, mezzanine or loft)	920 sq.ft.	590 sq.ft.
e. 2 <sup>nd</sup> floor area with ceiling height > 15 feet.	sq.ft.	sq.ft.
f. TOTAL (add d and e above)	sq.ft.	sq.ft.
<b>III. 3<sup>rd</sup> Floor Gross Area</b> See note <sup>1</sup> below		
g. 3 <sup>rd</sup> floor area (including all areas covered by a roof i.e. porches, breezeways, mezzanine or loft).	sq.ft.	45 sq.ft.
h. 3 <sup>rd</sup> floor area with ceiling height > 15 feet	sq.ft.	sq.ft.
i. TOTAL (add g and h above)	sq.ft.	sq.ft.
<b>IV. Basement Gross Area</b>		
j. Floor area outside footprint of first floor or greater than 3 feet above grade at the average elevation at the intersections of the minimum front yard setback line and side property lines.	sq.ft.	sq.ft.
<b>V. Garage</b>		
k. <input checked="" type="checkbox"/> attached (subtract 200 square feet if used to meet the minimum parking requirement)	350-200 150 sq.ft.	350-200 150 sq.ft.
l. <input type="checkbox"/> detached (subtract 450 square feet if more than 10 feet from principal structure)	sq.ft.	sq.ft.
<b>VI. Carport</b> (open on two or more sides without habitable space above it subtract 450 square feet)	sq.ft.	sq.ft.
<b>VII. TOTAL</b>	1710 sq.ft.	133 <del>1290</del> sq.ft.

<b>TOTAL GROSS FLOOR AREA</b> (add existing and new from VII above)	3000	sq. ft.
<b>GROSS AREA OF LOT</b>	7757.5	sq. ft.
<b>FLOOR AREA RATIO</b> (gross floor area / gross area of lot)	34	%

<sup>1</sup> If a second or third floor meets all of the following criteria it is considered to be attic space and is not calculated as part of the overall Gross Floor Area of the structure.

- It is fully contained within the roof structure and the roof has a slope of 3 to 12 or greater
- It only has one floor within the roof structure
- It does not extend beyond the foot print of the floors below
- It is the highest habitable portion of the building; and

~~102~~

## CITY OF AUSTIN

## RESIDENTIAL PERMIT APPLICATION "C"

## BUILDING COVERAGE

The area of a lot covered by buildings or roofed areas, but not including (i) incidental projecting eaves and similar features, or (ii) ground level paving, landscaping, or open recreational facilities.

	Existing		New / Addition	
a. 1 <sup>st</sup> floor conditioned area	690	sq.ft.	550	sq.ft.
b. 2 <sup>nd</sup> floor conditioned area	920	sq.ft.	590	sq.ft.
c. 3 <sup>rd</sup> floor conditioned area		sq.ft.		sq.ft.
d. Basement		sq.ft.		sq.ft.
e. Garage / Carport		sq.ft.		sq.ft.
X attached	350	sq.ft.	350	sq.ft.
detached		sq.ft.		sq.ft.
f. Wood decks [must be counted at 100%] 2nd Flr		sq.ft.	128	sq.ft.
g. Breezeways		sq.ft.		sq.ft.
h. Covered patios		sq.ft.		sq.ft.
i. Covered porches		sq.ft.	100	sq.ft.
j. Balconies 2nd Flr		sq.ft.	250	sq.ft.
k. Swimming pool(s) [pool surface area(s)]		sq.ft.		sq.ft.
l. Other building or covered area(s)		sq.ft.	45	sq.ft.
Specify _____				

TOTAL BUILDING AREA (add a. through l.)

1910

sq.ft.

~~1885~~ 2013  
1045 sq.ft.

TOTAL BUILDING COVERAGE ON LOT (subtract, if applicable, b., c., d., k. and l. if uncovered)

990

2035

sq.ft.

26

% of lot

Net 3103 #

## IMPERVIOUS COVERAGE

Include building cover and sidewalks, driveways, uncovered patios, decks, air conditioning equipment pad, and other improvements in calculating impervious cover. Roof overhangs which do not exceed two feet or which are used for solar screening are not included in building coverage or impervious coverage. All water must drain away from buildings on this site and buildings on adjacent lots.

a. Total building coverage on lot (see above)	2035	sq.ft.
b. Driveway area on private property	510	sq.ft.
c. Sidewalk / walkways on private property	170	sq.ft.
d. Uncovered patios		sq.ft.
e. Uncovered wood decks [may be counted at 50%]	128/64	sq.ft.
f. Air conditioner pads	18	sq.ft.
g. Concrete decks		sq.ft.
h. Other (specify) _____		sq.ft.

TOTAL IMPERVIOUS COVERAGE (add a. through h.)

2797

sq.ft.

36

% of lot

Net - 3490.8

ALLEY (0')

SCALE: 1"=20'

N80°02'58"E 161.4'

a 1/2 inch iron rod found but not used bears S42°38'W 1.36 ft. from capped rod

LOT 1

LOT 2

LOT 3

**BLOCK 6  
A. E. HABICHT  
SUBDIVISION  
OF OUTLOT 34  
DIVISION B  
VOLUME 1  
PAGE 42**

**REVIEWED FOR ZONING ONLY**

CITY OF AUSTIN  
APPROVED FOR PERMIT  
Victoria Hsu, P.E.  
Watering Protection & Development Review Department  
Date: 9/27/07  
The granting of a permit for this project does not constitute an approval of any of the provisions of the current adopted building code or any other ordinance of the City of Austin.

**EXHIBIT MAP OF  
LOT 2, BLOCK 6, A. E. HABICHT  
SUBDIVISION OF OUTLOT 34,  
DIVISION B, A SUBDIVISION  
IN TRAVIS COUNTY, TEXAS,  
ACCORDING TO THE MAP OR  
PLAT THEREOF RECORDED IN  
VOLUME 1 PAGE 42 OF THE  
PLAT RECORDS OF TRAVIS  
COUNTY, TEXAS.  
LOCATED AT 2102 EAST 13TH STREET.**

This map was completed without the benefit of a current title commitment. This lot may be subject to restrictions and easements not shown hereon.

**LEGEND**

- 1/2" Iron Rod Found
- ◆ 1/2" Iron Rod Set with Plastic Cap Marked "Holt Carson, Inc."
- Wood Fence
- Chain Link Fence
- Overhead Utility Line
- guy wire (Record Distance)

**EAST 13th STREET  
(60')**

PREPARED: July 25, 2007  
BY: [Signature]  
structures etc. must maintain 7'5" clearance from AE energized power lines. Enforced by AE & NESC codes.

Anne Thayer  
Registered Professional Land Surveyor No. 5850

**AE APPROVED**  
SEP 27 2007  
270-115  
DH

see map A801084 for complete boundary survey

**HOLT CARSON, INC.  
1904 FORTVIEW ROAD  
AUSTIN, TX 78704  
(512) 442-0990**

copyright 2007 C80108

## CITY OF AUSTIN

## RESIDENTIAL PERMIT APPLICATION "B"

CITY OF AUSTIN

## RESIDENTIAL PERMIT APPLICATION

I understand that in accordance with Sections 25-1-411 and 25-11-66 of the Land Development Code (LDC), non-compliance with the LDC may be cause for the Building Official to suspend or revoke a permit and/or license. I understand that I am responsible for complying with any subdivision notes, deed restrictions, restrictive covenants and/or zoning conditional overlays prohibiting certain uses and/or requiring certain development restrictions (i.e., height, access, screening, etc.) on this property. If a conflict should result with any of these restrictions, it will be my responsibility to resolve it. I understand that, if requested, I must provide copies of a subdivision plat notes, deed restrictions, restrictive covenants, and/or zoning conditional overlay information that may apply to this property.

I acknowledge that this project qualifies for the Site Plan Exemption as listed in Section 25-5-2 of the LDC.

I understand that nothing may be built upon or over an easement. I further understand that no portion of any roof structure may overhang in any public utility or drainage easement.

I acknowledge that customer will bear the expense of any necessary relocation of existing utilities to clear this driveway location and/or the cost to repair any damage to existing utilities caused during construction.

I also understand that if there are any trees greater than 19 inches in diameter located on the property and immediately adjacent to the proposed construction, I am to schedule a Tree Ordinance review by contacting (512) 974-1876 and receive approval to proceed.

I agree that this application will expire on the 181st day after the date that the application is filed if the application is not approved and an extension is not granted. If the application expires, a new submittal will be required.

APPLICANT'S SIGNATURE

DATE

9-27-07

HOME BUILDER'S STATE REGISTRATION NUMBER (required for all new construction)

TRCC# 32396

2/27/08

## Rejection Notes/Additional Comments (for office use only):

- structure fits within bldg tent - overhangs can extend 2' outside
- sidewall articulation - East wall must articulate at tent 32'. No sidewall art required for west wall because wall length is 30'
- FAR allowed 31037 / applicant has 30457
- 2nd Flr balcony is uncovered
- Setback avg allows structure to be 22.8' (LDC Subchapter F: Art 2: Sec. 2.3B)
- Duplex common wall must be a minimum of 4' - can use zipper wall + wall must connect both units with common roof.
- Porch - cannot encroach into 5' side setback. Can encroach into front (22.8') setback UP to 5'.

Service Address

Applicant's Signature

Date

9-27-07

- No ceiling height over 15' in height.



**2102 E 13TH ST**

ATLANTIC

COLETO

13TH

12A

18A

15A

31A

19A

10A

3

9

8

7

6

9

10

2

1

4

5

IAN MITCHELL



Kramer Service Center  
2412 Kramer Lane, Bldg. "C"  
Austin, Texas 78758  
(512) 505-7206

### Austin Energy

#### Electric Service Planning Application (ESPA) (Please Print or Type)

St. Elmo Service Center  
4411-B Meinardus Drive  
Austin, Texas 78744  
(512) 505-7500

For Residential or Small Commercial "SERVICE ONLY" under 350 amps 10 or 225 amps 30

Customer Name	<u>MGE DEVELOPMENT</u>	Phone	<u>632-0066</u>
Address	<u>2102 EAST 13<sup>th</sup></u>		
Legal Description	<u>OLT 34 DEV. B</u>		
Lot	<u>2</u>	Block	<u>6</u> Commercial/Residential? <u>RES.</u>

Service Main Size	<u>350</u> (amps)	Service Conductor	<u>CONNECTED AL</u> (type & size) <u>40</u>
Service Length	<u>60</u> (ft.)	Number of Meters?	<u>2</u> Multi-Fuel Y N
Overhead/Underground?	<u>X</u>	Voltage	<input checked="" type="checkbox"/> Single-phase (120) <input type="checkbox"/> Three-phase (300)
Total Square Footage	<u>3101</u>	Total A/C Load	<u>2</u> (# of units) <u>7</u> (Tons)
Largest A/C unit	<u>4</u> (Tons)	LRA of Largest A/C Unit	<u>40</u> (amps)
Electric Heating	<u>GAS</u> (kw)	Other	<u>GAS</u> (kw)

Comments: \_\_\_\_\_

Ian Mitchell 7-25-06 632-0066  
ESPA Completed by (Signature & Print name) Date Phone

AE Representative

Date

Approved: ☐ Yes ☐ No (Remarks on back)

Phone

Application expires 90 days after date of Approval

All structures etc. must maintain 7'5"  
clearance from AE energized power  
lines. Enforced by AE & NESC codes.

AE APPROVED

SEP 27 2007

270-115  
DH

AE APPROVED

JUL 25 2006

306-6  
DH

250 Amps

# CITY OF AUSTIN

## RESIDENTIAL PERMIT APPLICATION

BP Number <u>BP-06-75702A</u>	
Building Permit No. <u>0601884</u>	
Plat No. _____	Date <u>7/27/06</u>
Reviewer <u>Darrach</u>	

### PRIMARY PROJECT DATA

Service Address <u>2102 East 13th</u>	Tax Parcel No. <u>0209 092512</u>
Legal Description Lot <u>2</u> Block <u>6</u> Subdivision <u>OLT 51 DIV 8</u> Section _____ Phase _____	

If in a Planned Unit Development, provide Name and Case No.  
(attach final approved copies of subdivision and site plans)

*If this site is not a legally subdivided lot, you must contact the Development Assistance Center for a Land Status Determination.*

### Description of Work

<p><u>Unit A - 1st attached garage, kitchen, utility</u></p> <p><u>2nd floor, suit + balcony</u></p> <p><u>SF-3-NP</u></p>	<p><input checked="" type="checkbox"/> Remodel (specify) <u>interior + exterior</u></p> <p><input checked="" type="checkbox"/> Addition (specify) <u>unit to create duplex ended to unit A</u></p> <p><input type="checkbox"/> Other (specify) <u>change use of SF to duplex</u></p>
--	--

Zoning (e.g. SF-1, SF-2...) SF-3-NP Height of building 28 ft. # of floors 2

On lots with LA zoning, the approved septic permit must be submitted with the Residential Permit application for zoning approval.  
(LDC 25-2-551(B)(6))

Does this site have a Board of Adjustment ruling? Yes ☒ No ☐ If yes, attach the B.O.A. documentation

Will this development require a cut and fill in excess of 4 feet? Yes ☒ No ☐

Does this site front a paved street? Yes ☒ No ☐ A paved alley? Yes ☒ No ☐

### VALUATIONS FOR REMODELS ONLY

Building \$ <u>55,200</u>	
Electrical \$ <u>5,000</u>	
Mechanical \$ <u>3,800</u>	
Plumbing \$ <u>6,000</u>	
Driveway & Sidewalk \$ _____	
<b>TOTALS</b> <u>70,000</u>	
(Labor and materials)	

### DATA FOR NEW CONSTRUCTION OR ADDITIONS ONLY

Lot Size <u>7757.5</u> sq. ft.	
Job Valuation \$ <u>142,000</u>	(Labor and materials)
Total Job Valuation (remodels and additions) \$ <u>142,000</u>	
(Labor and materials)	

### PERMIT FEES (For office use only)

	NEW/ADDITIONS	REMODELS
Building	\$ <u>290</u>	\$ <u>384</u> = <u>674</u>
Electrical	\$ <u>165</u>	\$ <u>55</u> = <u>220</u>
Mechanical	\$ <u>94</u>	\$ <u>55</u> = <u>149</u>
Plumbing	\$ <u>100</u>	\$ <u>55</u> = <u>155</u>
Driveway & Sidewalk	\$ _____	\$ _____
<b>TOTALS</b>	\$ _____	\$ _____

### OWNER / BUILDER INFORMATION

OWNER	Name <u>MGE DEVELOPMENT</u>	Telephone (h) _____
		(w) <u>632-0066</u>
BUILDER	Company Name <u>GARY PAUSE</u>	Telephone <u>632-0066</u>
	Contact/Applicant's Name <u>LAW MITCHELL</u>	Pager _____
		FAX <u>632-1887</u>
DRIVEWAY /SIDEWALK	Contractor _____	Telephone _____
CERTIFICATE OF OCCUPANCY	Name <u>MGE DEVELOPMENT</u>	Telephone <u>632-0066</u>
	Address <u>8305 Hwy 71 West, Ste 260</u> City <u>AUSTIN</u> ST <u>TX</u> ZIP <u>78735</u>	

If you would like to be notified when your application is approved, please select the method:

telephone ☒ e-mail: mgedevelopment@gmail.com

You may check the status of this application at [www.ci.austin.tx.us/development/pierivv.htm](http://www.ci.austin.tx.us/development/pierivv.htm)

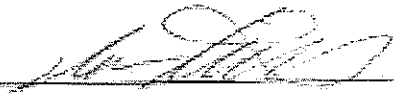
CITY OF AUSTIN  
RESIDENTIAL PERMIT APPLICATION

I understand that in accordance with Sections 25-1-411 and 25-11-66 of the Land Development Code (LDC), non-compliance with the LDC may be cause for the Building Official to suspend or revoke a permit and/or license. I understand that I am responsible for complying with any subdivision notes, deed restrictions, restrictive covenants and/or zoning conditional overlays prohibiting certain uses and/or requiring certain development restrictions (i.e., height, access, screening, etc.) on this property. If a conflict should result with any of these restrictions, it will be my responsibility to resolve it. I understand that, if requested, I must provide copies of all subdivision plat notes, deed restrictions, restrictive covenants, and/or zoning conditional overlay information that may apply to this property.

I acknowledge that this project qualifies for the Site Plan Exemption as listed in Section 25-5-2 of the LDC.

I also understand that if there are any trees greater than 19 inches in diameter located on the property and immediately adjacent to the proposed construction, I am to schedule a Tree Ordinance review by contacting (512) 974-1876 and receive approval to proceed.

APPLICANT'S  
SIGNATURE



DATE

7-25-06

Rejection Notes/Additional Comments (for office use only):

6 bdrms

5 bath = 3/4"



Service Address 2102 East 13<sup>th</sup>

Applicant's Signature [Signature]

Date 7-25-06

## BUILDING COVERAGE

The area of a lot covered by buildings or roofed areas, but not including (i) incidental projecting eaves and similar features, or (ii) ground level paving, landscaping, or open recreational facilities.

	Existing		New / Addition	
a. 1 <sup>st</sup> floor conditioned area	<u>543</u> sq.ft.		<u>106</u> <u>595</u> sq.ft.	
b. 2 <sup>nd</sup> floor conditioned area	sq.ft.		<u>736</u> <u>1121</u> sq.ft.	
c. 3 <sup>rd</sup> floor conditioned area	sq.ft.		sq.ft.	
d. Basement	sq.ft.		sq.ft.	
e. Garage / Carport	sq.ft.		<u>290</u> <u>450</u> sq.ft.	
<input checked="" type="checkbox"/> attached	sq.ft.		sq.ft.	
detached	sq.ft.		sq.ft.	
f. Wood decks [must be counted at 100%]	sq.ft.		sq.ft.	
g. Breezeways	sq.ft.		<u>96</u> sq.ft.	
h. Covered patios	sq.ft.		sq.ft.	
i. Covered porches	sq.ft.		<u>30</u> sq.ft.	
j. Balconies	sq.ft.		<u>55</u> sq.ft.	
k. Swimming pool(s) [pool surface area(s)]	sq.ft.		sq.ft.	
l. Other building or covered area(s)	sq.ft.		sq.ft.	
Specify _____				

TOTAL BUILDING AREA (add a. through l.) 838 543 sq.ft. 3082 3129 sq.ft.

TOTAL BUILDING COVERAGE ON LOT (subtract b., c., d., and l. if applicable) 26.6 28.95 2246 sq.ft. 2060 % of lot

## IMPERVIOUS COVERAGE

Include building cover and sidewalks, driveways, uncovered patios, decks, air conditioning equipment pad, and other improvements in calculating impervious cover. Roof overhangs which do not exceed two feet or which are used for solar screening are not included in building coverage or impervious coverage. All water must drain away from buildings on this site and buildings on adjacent lots.

a. Total building coverage on lot (see above)	<u>2246</u> <u>2060</u> sq.ft.
b. Driveway area on private property	<u>768</u> sq.ft.
c. Sidewalk / walkways on private property	<u>192</u> sq.ft.
d. Uncovered patios	sq.ft.
e. Uncovered wood decks [may be counted at 50%]	sq.ft.
f. Air conditioner pads	<u>27</u> sq.ft.
g. Concrete decks	<u>12</u> sq.ft.
h. Other (specify) _____	sq.ft.

TOTAL IMPERVIOUS COVERAGE (add a. through h.) 4183 3245 sq.ft. 3059 % of lot 31.4

The diameter of the  
the cylinder provided, must  
be 1/4 inch or more  
circumference of the  
diameter is 1/4 inch or more  
ORDINANCE REVIEW from Official the  
Development Assistance Center.

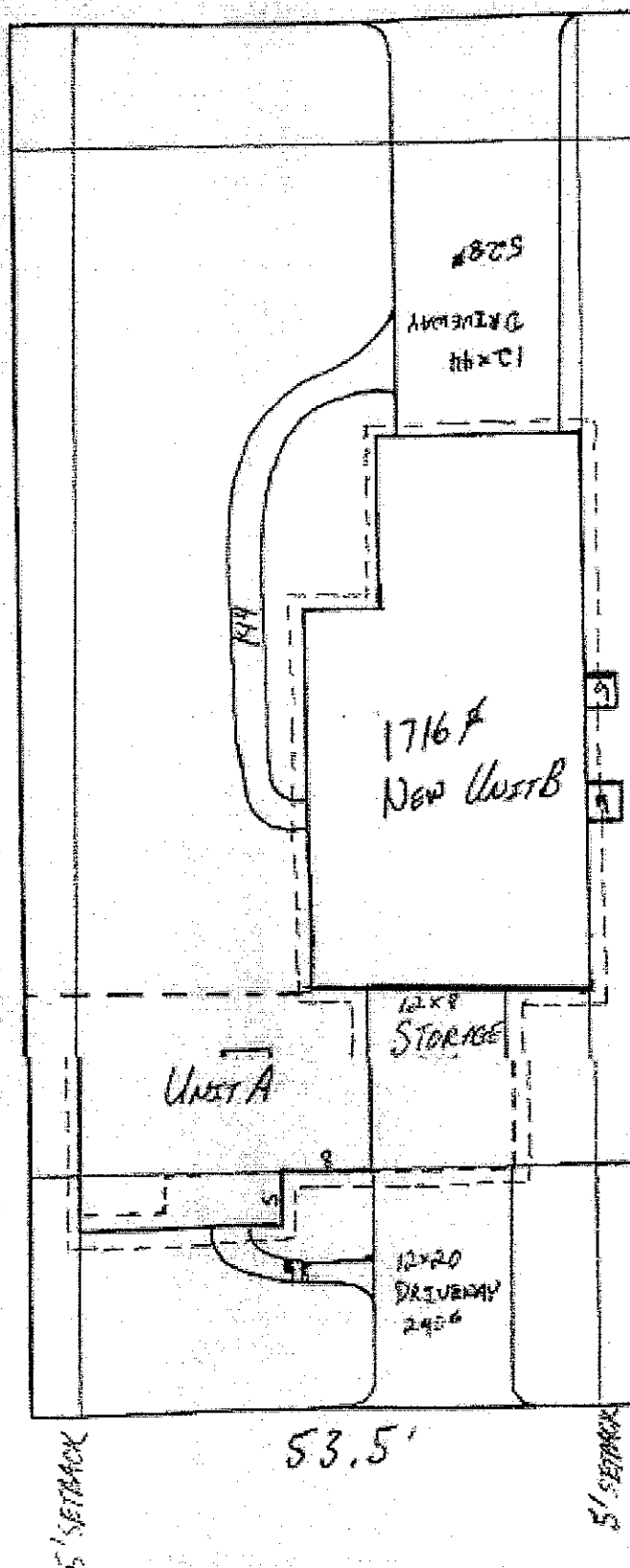
CITY OF AUSTIN  
APPROVED FOR PERMIT  
Victoria Hsu, P.E.  
Waterworks, Planning & Development Review Department  
Date 7/27/16  
The undersigned, a public official, approves of these plans and  
specifications and will be construed to be a permit for an  
approval of any request in any of the provisions of the current  
regional building code or any other ordinance of the City of Austin.

Waterways, Commerce & Development Planning Department  
Victoria

*[Signature]*

Date 7/27/68

The granting of a permit for an approval of these plans and specifications shall not be construed to be a general let. An approval of any kind by the representatives of the City of Austin does not constitute a contract or any other obligation of the City of Austin.



10 SETBACK

REVIEWED FOR ZONING ONLY

145

25' SETBACK

AE APPROVED

SECRET

206-4  
DH

IAN MITCHELL



Kramer Service Center  
2412 Kramer Lane, Bldg. "C"  
Austin, Texas 78758  
(512) 505-7209

**Austin Energy**  
**Electric Service Planning Application (ESPA)**  
(Please Print or Type)

St. Elmo Service Center  
4411-B Meinardus Drive  
Austin, Texas 78744  
(512) 505-7500

For Residential or Small Commercial "SERVICE ONLY" under 350 amps 1Ø or 225 amps 3Ø

Customer Name	<u>MGE DEVELOPMENTS</u>	Phone	<u>632-0066</u>
Address	<u><del>2102</del> 2102 EAST 13<sup>th</sup></u>		
Legal Description	<u>OLT 34 DIV. B</u>		
Lot	<u>2</u>	Block	<u>6</u> Commercial/Residential? <u>RES.</u>

Service Main Size	<u><del>350</del> 350</u> (amps)	Service Conductor	<u>UNBUNDLED AL</u> (type & size) <u>4Ø</u>
Service Length	<u>60</u> (ft.)	Number of Meters?	<u>2</u> Multi-Fuel Y N
Overhead/Underground?	<u>X</u>	Voltage	<input checked="" type="checkbox"/> Single-phase (1Ø) <input type="checkbox"/> Three-phase (3Ø)
Total Square Footage	<u>3101</u>	Total A/C Load	<u>2</u> (# of units) <u>7</u> (Tons)
Largest A/C unit	<u>4</u> (Tons)	LRA of Largest A/C Unit	<u>40</u> (amps)
Electric Heating	<u>GAS</u> (kW)	Other	<u>GAS</u> (kW)

Comments: \_\_\_\_\_

*[Signature]* IAN MITCHELL 7-25-06 632-0066  
ESPA Completed by (Signature & Print name) Date Phone

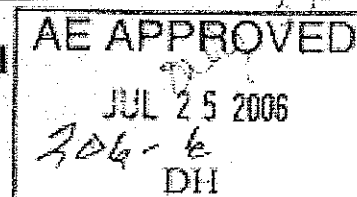
AE Representative \_\_\_\_\_

Date \_\_\_\_\_

Approved: ☐ Yes ☐ No (Remarks on back)

Phone \_\_\_\_\_

**Application expires 90 days after date of Approval**





## City of Austin

# CERTIFICATE OF OCCUPANCY

**BUILDING PERMIT NO. 2007-144343 BP**

**ISSUE DATE: 08/31/2007**

**BUILDING ADDRESS:** 2102 E 13TH ST

**LEGAL DESCRIPTION:** Lot: 2 Block: 6 Subdivision: HABICHTS SUBDIVISION

**PROPOSED OCCUPANCY:**

R- 435 Renovations/Remodel

Remodel - finish out existing BP-06-7570RA and convert the use back to a sf residence.(SEE CONIDITONS)  
must reapply for a duplex use

ONLY RELEASE ONE ELECTRIC METER FOR THE SF RESIDENCE

**REMODEL BUILDING SQUARE FOOTAGE:** 1710 SQ. FT.

**SPRINKLER SYSTEM:**

**CODE YEAR:** 2000

**CODE TYPE:** International Residential Code

**FIXED OCCUPANCY:** 0

**NON FIXED OCCUPANCY:**

**CONTRACTOR:** MGE Development. Inc.

**\*\*\*\*\* CERTIFICATE OF OCCUPANCY \*\*\*\*\***

**THIS IS TO CERTIFY THAT THE BUILDING OR STRUCTURE AT THE ADDRESS LISTED ABOVE HAS  
BEEN INSPECTED FOR COMPLIANCE WITH THE REQUIREMENTS OF THE AUSTIN CITY CODE  
FOR THE GROUP AND DIVISION OF OCCUPANCY LISTED ABOVE.**

NEITHER THE ISSUANCE OF THIS CERTIFICATE NOR THE INSPECTIONS MADE SHALL LESSEN THE RESPONSIBILITY OR LIABILITY OF ANY PERSON, FIRM OR CORPORATION

OWNING, OPERATING, CONTROLLING OR INSTALLING ANY APPLIANCE OR MATERIAL UPON THE PREMISE, OR DOING ANY WORK WHATSOEVER ON SUCH PREMISE.

THE CITY OF AUSTIN DOES NOT ASSUME ANY RESPONSIBILITY OR LIABILITY BY REASON OF THE INSPECTION OR REINSPECTION OF THE PREMISE; OR THE ISSUANCE OF THIS "CERTIFICATE OF OCCUPANCY"; OR BY ANY REASON OF ANY APPROVAL OR DISAPPROVAL.

**BUILDING CODE REVIEWER:**

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**For Leon Barba, Building Official**



# City of Austin BUILDING PERMIT

**PERMIT NO:** 2007-154472-BP

Type: RESIDENTIAL

Status: Expired

2102 E 13TH ST UNIT A

Issue Date: 09/28/2007

**EXPIRY DATE: 03/17/2009**

LEGAL DESCRIPTION Lot: 2 Block: 6 Subdivision: HABICHTS SUBDIVISION						SITE APPROVAL		ZONING SF-3-NP	
PROPOSED OCCUPANCY: addn to create a duplex use		WORK PERMITTED: Addition				ISSUED BY: Zulema Flores			
TOTAL SQFT New/Addn: 2,013		VALUATION Tot Val Rem: \$0.00		TYPE CONST.	USE CAT. 434	GROUP	FLOORS 2	UNITS 1	# OF PKG SPACES 3
TOTAL BLDG. COVERAGE 2035		% COVERAGE 26	TOTAL IMPERVIOUS COVERAGE 2672		% COVERAGE 2797	# OF BATHROOMS		METER SIZE	

## Contact

Applicant, Victor Stinson, Stinson Property Group  
General Contractor, Victor Stinson, Stinson Property Group

## Phone

(512) 658-8876  
(512) 658-8876

## Contact

Billed To, MGE Development, Inc.

## Phone

(512) 632-0066

Fee Desc	Amount	Date	Fee Desc	Amount	Date	Fee Desc	Amount	Date
Building Permit Fee	185.00	9/28/2007	Electrical Permit Fee	100.00	1/18/2008	Mechanical Permit Fee	66.00	1/16/2008
Plumbing Permit Fee	85.00	1/28/2008						
<b>Fees Total:</b>	<b>436.00</b>							

## Inspection Requirements

Building Inspection	Driveway Inspection	Electric Inspection	Mechanical Inspection
Plumbing Inspection	Sewer Tap Inspection	Water Tap Inspection	

All Buildings, Fences, Landscaping, Patios, Flatwork And Other Uses Or Obstructions Of A Drainage Easement Are Prohibited, Unless Expressly Permitted By A License Agreement Approved By COA Authorizing Use Of The Easement.

**Section 25-11-94 Expiration and extension of permit (Active Permits will expire 180 days at 11:59:59 pm after date of last inspection posted). If you allow this permit to expire, you will be required to submit a new application & pay new fees.**

The following permits are required as a separate permit: See Mechanical, Electrical, Plumbing permits for Related Fees and Inspections.

## Comments

structure fits within bldg tend overhangs can extend 2' outside the tent  
sidewall articulation-east wall must articulate at 32' no sidewall art required for west all because wall length is 30'  
far allowed 3103 sq ft/applicant has 3045 sq ft.  
2nd floor balcony is uncovered  
setback average allows structure to be 22.8'(dc-subchapter f article 2 sect. 2.3.b)  
duplex common wall must be a minimum of 47' can use zipper wall and wall must connect both units with common roof.  
porch cannot encroach into 5' side setback. can encroach into front setback(22.8)up to 5'  
no ceiling height over 15' in height  
3 off street parking spaces per urban core.



# City of Austin BUILDING PERMIT

**PERMIT NO:** 2007-154472-BP

Type: RESIDENTIAL

Status: Expired

2102 E 13TH ST UNIT A

Issue Date: 09/28/2007

**EXPIRY DATE: 03/17/2009**

LEGAL DESCRIPTION Lot: 2 Block: 6 Subdivision: HABICHTS SUBDIVISION						SITE APPROVAL		ZONING SF-3-NP	
PROPOSED OCCUPANCY: addn to create a duplex use		WORK PERMITTED: Addition				ISSUED BY: Zulema Flores			
TOTAL SQFT New/Addn: 2,013		VALUATION Tot Val Rem: \$ .00		TYPE CONST.	USE CAT. 434	GROUP	FLOORS 2	UNITS 1	# OF PKG SPACES 3
TOTAL BLDG. COVERAGE 2035		% COVERAGE 26	TOTAL IMPERVIOUS COVERAGE 2672		% COVERAGE 2797	# OF BATHROOMS		METER SIZE	

Residential Zoning Review

Date

09/27/2007

Reviewer

Residential Zoning Reviewers

By Accepting Or Paying For This Permit You are Declaring That You Are The Owner Or Authorized By The Owner That The Data Submitted At The Time Of Application Was True Facts And That The Work Will Conform To The Plans And Specification Submitted Herewith.

Type	Date	Status	Comments	Inspector
101 Building Layout	4/2/2008	Temporary		Julio Molis
102 Foundation	3/31/2008	Temporary		Julio Molis
103 Framing	4/2/2008	Pass		Julio Molis
104 Insulation	4/4/2008	Pass		Julio Molis
105 Wallboard	4/10/2008	Pass		Julio Molis
108 TCO Stocking		Open		Julio Molis
111 Energy Final		Open		Julio Molis
112 Final Building		Open		Julio Molis
114 Continuance of work		Open		Julio Molis
611 Water Tap		Open		Austin Water Utility
Deficiencies		Open		Julio Molis



# City of Austin

## MECHANICAL PERMIT

**PERMIT NO:** 2007-154472-MP  
2102 E 13TH ST UNIT A

Type: RESIDENTIAL Status: EXPIRED  
Issue Date: 01/16/2008 **EXPIRY DATE: 03/17/2009**

LEGAL DESCRIPTION Lot: 2 Block: 6 Subdivision: HABICHTS SUBDIVISION	SITE APPROVAL	ZONING SF-3-NP
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PROPOSED OCCUPANCY addn to create a duplex use	WORK PERMITTED: Addition	ISSUED BY: Michelle Meadows
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Total SQFT New/Addn: 2,013 Existing: 1,910	Valuation Remodel: \$.00 Total New: \$80,000.00	Use CAT. 434	Floors 2	Units 1
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<b>Contact</b> Mechanical Contractor, Larry Susen, Bunten A/C Service General Contractor, Victor Stinson, Stinson Property Group	<b>Telephone</b> (512) 288-4621 (512) 658-8876
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<b>Fee Description</b> Mechanical Permit Fee  <b>Total Fees:</b>	<b>Fee Amount</b> \$66.00 \$66.00	<b>Paid Date</b> 01/16/2008	<b>Inspection Requirements</b> Mechanical Inspection
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**Section 25-11-94 Expiration and Extension of Permit ( Active permits will expire in 180 days at 11:59 pm after date of last inspection posted). If you allow this permit to expire, you will be required to submit a new application & pay new fees.**

<b>Comments</b> sturcture fits within bldg tend overhangs can extedn 2' outside the tent sidewall articulation-east wall must articutlate at 32' no sidewall art required for west all because wall length is 30' far allowed 3103 sq ft/applicant has 3045 sq ft. 2nd floor balcony is uncovered setbac average allows structure to be 22.8(lde-subchapter f article 2 sect. 2.3.b) duplex common wall must be a minium of 47' can use zipper wall and wall must connect both units with common roof. porch cannot encroach into 5' side setback. can encroach into front setback(22.8)up to 5' no ceiling height ov4er 15' in height 3 off street parking spaces per urban core.
---

BY ACCEPTING OR PAYING FOR THIS PERMIT YOU ARE DECLARING THAT YOU ARE THE OWNER OR AUTHORIZED BY THE OWNER THAT THE DATA SUBMITTED AT THE TIME OF APPLICATION WAS TRUE FACTS AND THAT THE WORK WILL CONFORM TO THE PLANS AND SPECIFICATION SUBMITTED HEREWITH.



# City of Austin

## MECHANICAL PERMIT

**PERMIT NO:** 2007-154472-MP  
2102 E 13TH ST UNIT A

Type: RESIDENTIAL Status: EXPIRED  
Issue Date: 01/16/2008 **EXPIRY DATE: 03/17/2009**

LEGAL DESCRIPTION Lot: 2 Block: 6 Subdivision: HABICHTS SUBDIVISION	SITE APPROVAL	ZONING SF-3-NP
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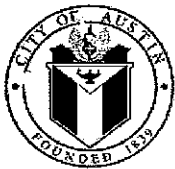
PROPOSED OCCUPANCY WORK PERMITTED Addition  
addn to create a duplex use

ISSUED BY: Michelle Meadows

Total SQFT New/Addn: 2,013 Existing: 1,910	Valuation Remodel: \$.00 Total New: \$80,000.00	Use CAT. 434	Floors 2	Units 1
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Type	Date	Status	Comments	Inspector
114 Continuance of work		Open		Julio Molis
400 Mechanical Rough	04/02/2008	Pass		Julio Molis
402 Mechanical Vent		Open		Julio Molis
405 Final Mechanical		Open		Julio Molis
406 Mech TCO Occupancy		Open		Julio Molis
409 Mechanical Temp Gas		Open		Julio Molis
Deficiencies		Open		Julio Molis





# City of Austin

## ELECTRIC PERMIT

**PERMIT NO:** 2007-154472-EP

Type: RESIDENTIAL Status: Final

2102 E 13TH ST UNIT A

Issue Date: 01/18/2008 **EXPIRY DATE: 09/18/2008**

LEGAL DESCRIPTION Lot: 2 Block: 6 Subdivision: HABICHTS SUBDIVISION		SITE APPROVAL	ZONING SF-3-NP	
PROPOSED OCCUPANCY addn to create a duplex use	WORK PERMITTED: Addition		ISSUED BY: Angelica Yanez	
Total SQFT New/Addn: 2,013 Existing: 1,910	Valuation Remodel: \$.00 Total New: \$80,000.00	Use CAT	Floors 2	Units 1

<b>Contact</b> Electrical Contractor, Tony Jaramillo General Contractor, Victor Stinson, Stinson Property Group	<b>Telephone</b> (512) 657-9926 (512) 658-8876
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<b>Fee Description</b> Electrical Permit Fee  <b>Total Fees:</b>	<b>Fee Amount</b> \$100.00 \$100.00	<b>Paid Date</b> 01/18/2008	<b>Inspection Requirements</b> Electric Inspection
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**Section 25-11-94 Expiration and Extension of Permit ( Active permits will expire in 180 days at 11:59 pm after date of last inspection posted). If you allow this permit to expire, you will be required to submit a new application & pay new fees.**

<b>Comments</b> structure fits within bldg tend overhangs can extend 2' outside the tent sidewall articulation-east wall must articulate at 32' no sidewall art required for west all because wall length is 30' far allowed 3103 sq ft/applicant has 3045 sq ft. 2nd floor balcony is uncovered setback average allows structure to be 22.8(lde-subchapter f article 2 sect. 2.3.b) duplex common wall must be a minimum of 47' can use zipper wall and wall must connect both units with common roof. porch cannot encroach into 5' side setback. can encroach into front setback(22.8)up to 5' no ceiling height over 15' in height 3 off street parking spaces per urban core.
---

BY ACCEPTING OR PAYING FOR THIS PERMIT YOU ARE DECLARING THAT YOU ARE THE OWNER OR AUTHORIZED BY THE OWNER THAT THE DATA SUBMITTED AT THE TIME OF APPLICATION WAS TRUE FACTS AND THAT THE WORK WILL CONFORM TO THE PLANS AND SPECIFICATION SUBMITTED HERewith.



# City of Austin

## ELECTRIC PERMIT

**PERMIT NO:** 2007-154472-EP

Type: RESIDENTIAL Status: Final

2102 E 13TH ST UNIT A

Issue Date: 01/18/2008 **EXPIRY DATE: 09/18/2008**

LEGAL DESCRIPTION Lot: 2 Block: 6 Subdivision: HABICHTS SUBDIVISION		SITE APPROVAL		ZONING SF-3-NP	
PROPOSED OCCUPANCY addn to create a duplex use	WORK PERMITTED: Addition		ISSUED BY: Angelica Yanez		
Total SQFT New/Addn: 2,013 Existing: 1,910	Valuation Remodel: \$,00 Total New: \$80,000.00		Use CAT	Floors 2	Units 1

Type	Date	Status	Comments	Inspector
114 Continuance of work		Open		
300 Electrical Slab		Open		Sam Verver
301 Electrical Rough	01/30/2008	Pass	sub panel ok	Sam Verver
302 Electrical Grounding		Open		Sam Verver
304 Temporary Electric	09/18/2008	Cancelled		John Pace
305 Final Electric	09/18/2008	Pass		John Pace
306 Electrical TCO Occupancy		Open		Sam Verver

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# City of Austin

## PLUMBING PERMIT

**PERMIT NO:** 2007-154472-PP

Type: RESIDENTIAL Status: Expired

2102 E 13TH ST UNIT A

Issue Date: 01/28/2008 **EXPIRY DATE: 03/17/2009**

<b>LEGAL DESCRIPTION</b> Lot: 2 Block: 6 Subdivision: HABICHTS SUBDIVISION		<b>SITE APPROVAL</b>	<b>ZONING</b> SF-3-NP	
<b>PROPOSED OCCUPANCY</b> addn to create a duplex use	<b>WORK PERMITTED:</b> Addition		<b>ISSUED BY:</b> Glenda Wilsford	
<b>Total SQFT</b> New/Addn: 2,013 Existing: 1,910	<b>Valuation</b> Remodel: \$.00 Total New: \$80,000.00	<b>Use CAT.</b> 434	<b>Floors</b> 2	<b>Units</b> 1

<b>Contact</b> Plumbing Contractor, Rogelio Vasquez, R & R Plumbing General Contractor, Victor Stinson, Stinson Property Group	<b>Telephone</b> (512) 382-1994 (512) 658-8876
--	--

<b>Fee Description</b> Plumbing Permit Fee  <b>Total Fees:</b>	<b>Fee Amount</b> \$85.00 \$85.00	<b>Paid Date</b> 01/28/2008	<b>Inspection Requirements</b> Plumbing Inspection Water Tap Inspection Sewer Tap Inspection
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**Section 25-11-94 Expiration and Extension of Permit ( Active permits will expire in 180 days at 11:59 pm after date of last inspection posted). If you allow this permit to expire, you will be required to submit a new application & pay new fees.**

Approval of the final plumbing inspection, if required, serves as completion and approval of a customer service inspection as required by 30 T.A.C. 290.46(j).

Completion and acceptance of the final plumbing inspection meets the Customer Service Inspection requirements as identified in TCEQ 's Rules and Regulations for Public Water Systems 290.46 (j).

### Comments

structure fits within bldg tend overhangs can extend 2' outside the tent  
sidewall articulation-east wall must articulate at 32' no sidewall art required for west all because wall length is 30'  
far allowed 3103 sq ft/applicant has 3045 sq ft.  
2nd floor balcony is uncovered  
setbac average allows structure to be 22.8'(dc-subchapter f article 2 sect. 2.3.b)  
duplex common wall must be a minium of 47' can use zipper wall and wall must connect both units with common roof.  
porch cannot encroach into 5' side setback. can encroach into front setback(22.8)up to 5'  
no ceiling height over 15' in height  
3 off street parking spaces per urban core.

BY ACCEPTING OR PAYING FOR THIS PERMIT YOU ARE DECLARING THAT YOU ARE THE OWNER OR AUTHORIZED BY THE OWNER THAT THE DATA SUBMITTED AT THE TIME OF APPLICATION WAS TRUE FACTS AND THAT THE WORK WILL CONFORM TO THE PLANS AND SPECIFICATION SUBMITTED HEREWITH.



# City of Austin

## PLUMBING PERMIT

**PERMIT NO:** 2007-154472-PP

Type: RESIDENTIAL Status: Expired

2102 E 13TH ST UNIT A

Issue Date: 01/28/2008 **EXPIRY DATE: 03/17/2009**

LEGAL DESCRIPTION Lot: 2 Block: 6 Subdivision: HABICHTS SUBDIVISION		SITE APPROVAL	ZONING SF-3-NP	
PROPOSED OCCUPANCY addn to create a duplex use	WORK PERMITTED: Addition		ISSUED BY: Glenda Wilford	
Total SQFT New/Addn: 2,013 Existing: 1,910	Valuation Remodel: \$0.00 Total New: \$80,000.00	Use CAT. 434	Floors 2	Units 1

Type	Date	Status	Comments	Inspector
114 Continuance of work		Open		Julio Molis
500 Plumbing Rough	03/14/2008	Cancelled	revise permit	Julio Molis
501 Plumbing Copper	01/30/2008	Cancelled		Julio Molis
502 Plumbing Top Out	04/02/2008	Pass		Julio Molis
503 Plumbing Gas Rough	01/30/2008	Fail		Julio Molis
504 Interior Water Line	01/30/2008	Cancelled		Julio Molis
505 Sewer Yard Line		Open		Julio Molis
506 Water Yard Line		Open		Julio Molis
507 Gas Yard Line		Open		Julio Molis
509 Irrigation Rough		Open		Julio Molis
510 Sewer Tap		Open		Julio Molis
520 Temporary Gas Final		Open		Julio Molis
521 Final Plumbing		Open		Julio Molis
522 Plumbing TCO Occupancy		Open		Julio Molis
524 Boiler/Hotwater Heater		Open		Julio Molis

SignOff

Date

SignOff

Date

510 Sewer Tap



# City of Austin BUILDING PERMIT

PERMIT NO: 2007-154473-BP

2102 E 13TH ST UNIT B

Type: RESIDENTIAL

Status: Expired

Issue Date: 09/28/2007

**EXPIRY DATE: 03/17/2009**

**LEGAL DESCRIPTION**

Lot: 2 Block: 6 Subdivision: HABICHTS SUBDIVISION

**SITE APPROVAL**

**ZONING**

SF-3-NP

**PROPOSED OCCUPANCY:**

WORK PERMITTED: Remodel

ISSUED BY: Zulema Flores

change of use and change of address from sf residence to create a duplex

TOTAL SQFT	VALUATION	TYPE CONST.	USE CAT.	GROUP	FLOORS	UNITS	# OF PKG SPACES
Remodel: 1,910	Tot Val Rem: \$23.00		435		2	1	3
TOTAL BLDG. COVERAGE	% COVERAGE	TOTAL IMPERVIOUS COVERAGE	% COVERAGE	# OF BATHROOMS	METER SIZE		

Contact	Phone	Contact	Phone
Applicant, MGE Development, Inc.	(512) 632-0066	Internet User, MGE Development, Inc.	(512) 632-0066
Billed To, MGE Development, Inc.	(512) 632-0066	General Contractor, Victor Stinson, Stinson Property Group	(512) 658-8876

Fee Desc	Amount	Date	Fee Desc	Amount	Date	Fee Desc	Amount	Date
Building Permit Fee	23.00	9/28/2007						
<b>Fees Total:</b>	<b>23.00</b>							

**Inspection Requirements**

Building Inspection

All Buildings, Fences, Landscaping, Patios, Flatwork And Other Uses Or Obstructions Of A Drainage Easement Are Prohibited, Unless Expressly Permitted By A License Agreement Approved By COA Authorizing Use Of The Easement.

**Section 25-11-94 Expiration and extension of permit (Active Permits will expire 180 days at 11:59:59 pm after date of last inspection posted). If you allow this permit to expire, you will be required to submit a new application & pay new fees.**

The following permits are required as a separate permit: See Mechanical, Electrical, Plumbing permits for Related Fees and Inspections.

**Comments**

Residential Zoning Review

Date

09/27/2007

Reviewer

Residential Zoning Reviewers

By Accepting Or Paying For This Permit You are Declaring That You Are The Owner Or Authorized By The Owner That The Data Submitted At The Time Of Application Was True Facts And That The Work Will Conform To The Plans And Specification Submitted Herewith.



# City of Austin BUILDING PERMIT

PERMIT NO: 2007-154473-BP

Type: RESIDENTIAL Status: Expired

2102 E 13TH ST UNIT B

Issue Date: 09/28/2007

**EXPIRY DATE: 03/17/2009**

LEGAL DESCRIPTION Lot: 2 Block: 6 Subdivision: HABICHTS SUBDIVISION				SITE APPROVAL		ZONING SF-3-NP			
PROPOSED OCCUPANCY:		WORK PERMITTED: Remodel			ISSUED BY: Zulema Flores				
change of use and change of address from sf residence to create a duplex									
TOTAL SQFT Remodel: 1,910		VALUATION Tot Val Rem: \$23.00		TYPE CONST.	USE CAT. 435	GROUP	FLOORS 2	UNITS 1	# OF PKG SPACES 3
TOTAL BLDG. COVERAGE		% COVERAGE	TOTAL IMPERVIOUS COVERAGE		% COVERAGE	# OF BATHROOMS		METER SIZE	

Type	Date	Status	Comments	Inspector
101 Building Layout		Open		Julio Molis
102 Foundation		Open		Julio Molis
103 Framing		Open		Julio Molis
104 Insulation		Open		Julio Molis
105 Wallboard		Open		Julio Molis
108 TCO Stocking		Open		Julio Molis
112 Final Building		Open		Julio Molis
114 Continuance of work		Open		Julio Molis
Deficiencies		Open		Julio Molis

6

**TRUSTEE'S DEED**

**Date:** September 21, 2009



**DEED** 2009161255

**8 PGS**

**Trustee:** Mark Guiling

**Note:** Note dated August 28, 2008 in the amount of \$217,000.00

**Deed of Trust:** Recorded in Instrument No. 2008147963, OPR Travis County, Texas

**Date:** August 28, 2008

**Grantor:** MGE Development, Inc.

**Property:** Unit A, The 2102 East 13<sup>th</sup> Street Condominiums, a condominium project in Travis County, Texas, according to the Declaration of condominium recorded under Document No. 2007145622 of the Official Public Records of Travis County, Texas

**Trustee's/Substitute Trustee's Address:** 3508 Far West Blvd., Suite 190  
Austin, Texas 78731

**Date of Sale (first Tuesday of month):** August 4, 2009

**Time of Sale:** 11:15 A.M.

**Place of Sale:** Designated location, east door, under the sallyport, to the Travis County Courthouse, Austin, Texas, 11<sup>th</sup> and Guadalupe.

**Buyer:** WSC REO, LLC

**Buyer's Mailing Address:** 600 Round Rock West Drive, Suite 601, Round Rock, Texas 78681  
Williamson County


A default exists under the Deed of Trust. Mortgagee or Mortgage Servicer has directed Trustee to enforce the trust.

Notices stating the time, place, and terms of sale of the Property were posted and filed and as shown by the affidavit attached to this deed and incorporated in it by this reference Mortgagee either personally or by agent served notice of the sale to each debtor, as required by the Texas Property Code. In accordance with that statute and the Deed of Trust, Trustee sold the Property to Buyer, who was the highest bidder at the public auction. The sale was made on the Date of Sale, began at the Time of Sale, and was concluded by 4:00 p.m.

Trustee, subject to any prior liens and other exceptions to conveyance and warranty in the Deed of Trust and for the bid price paid by Buyer as consideration, grants, sells, and conveys the

1612 S. 3rd

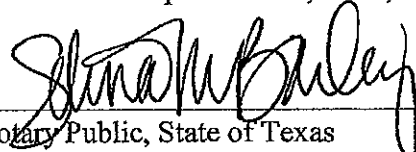
Property to Buyer, "AS IS," together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Buyer and Buyer's heirs, successors, and assigns forever. Trustee binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Buyer and Buyer's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the prior liens and other exceptions to conveyance and warranty in the Deed of Trust.

  
\_\_\_\_\_  
Mark Guiling

STATE OF TEXAS )

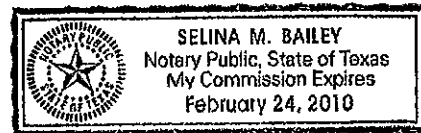
COUNTY OF TRAVIS )

This instrument was acknowledged before me on September 21, 2009, by Mark Guiling, Trustee.

  
\_\_\_\_\_  
Notary Public, State of Texas  
My commission expires: \_\_\_\_\_

AFTER RECORDING RETURN TO:

JOHN W PLEUTHNER  
3508 Far West Blvd., Ste 190  
Austin, TX 78731





### Affidavit of Mailing

**Date:** September 21, 2009

**Affiant:** Mark Guiling

**Note:** Note in the amount of \$217,000.00

#### Deed of Trust

**Date:** August 28, 2008

**Grantor:** MGE Development, Inc.

**Recorded:** Instrument No. 2008147963 OPR, Travis County, Texas

**Property:** Unit A, The 2102 East 13<sup>th</sup> Street Condominiums, a condominium project in Travis County, Texas, according to the Declaration of condominium recorded under Document No. 2007145622 of the Official Public Records of Travis County, Texas

Affiant on oath swears that the following statements are true and are within the personal knowledge of Affiant:

1. This affidavit is made with respect to the foreclosure of the Deed of Trust that occurred on August 4, 2009.

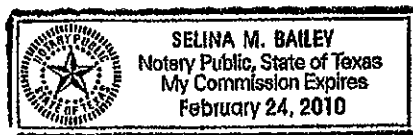
2. Attached to this affidavit is a copy of the letter sent to each person liable on the debt at the address required by the Deed of Trust and the Texas Property Code.

The letter was mailed by certified mail, postage prepaid, properly addressed to each individual identified in the attached letter.

  
Mark Guiling

SUBSCRIBED AND SWORN TO before me on September 21, 2009 by Mark Guiling.

  
Notary Public, State of Texas



LAW OFFICE OF JOHN W. PLEUTHNER, P.C.  
3508 FAR WEST BLVD., SUITE 190  
AUSTIN, TEXAS 78731  
512.345.1559  
FAX: 512.345.5958

July 13, 2009

MGE Development, Inc.  
8305 HWY 71 St. West, Ste. 260  
Austin, Texas 78735

Certified Mail No. \_\_\_\_\_ RRR

**Re:** Note dated August 28, 2008 in the original principal amount of \$217,000.00, ("Note") payable to the order of Bennie F. Brewer; Equity Trust Company Custodian FBO Marie Wilson IRA # 85417; William G. Hofgard; and, EL Jamison LP, ("Mortgagees") and secured by a Deed of Trust, ("Deed of Trust") filed in Instrument 2008147963, of the Official Public Records of Travis County, Texas; both the Note and Deed of Trust for purposes hereof collectively referred to as the "Loan Documents"

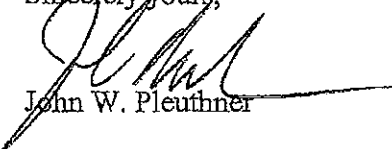
Attn: Ian Mitchell

Dear Mr. Mitchell;

Due to default in the performance of obligations set forth in the Note and deed of Trust referenced above, and in accordance with the procedures therein, the current Mortgagees have declared that the unpaid principal balance and earned interest under the Note is immediately due, and the above referenced property has been posted for foreclosure by the filing of the enclosed Notice of Trustee's Sale, with the Travis County Clerk. The sale will occur in accordance with said Notice.

In accordance with federal and Texas laws regarding fair debt collections, unless you, within thirty days after receipt of this notice, dispute the validity of the debt set forth above, or any portion thereof, the indebtedness will be assumed to be valid. If you notify the undersigned in writing within the thirty-day period that the indebtedness, or any portion thereof, is disputed, I will obtain a verification of the indebtedness and will mail that verification to you. On my receipt of your written request within the thirty-day period, I will forward to you the name and address of the original creditor, if different from the current creditor. I am attempting to collect this indebtedness, and any information obtained will be used for that purpose. This letter is being sent to your attention in accordance with state and federal law.

Sincerely yours,

  
John W. Pleuthner

FILED

2009 JUL 13 PM 12:22

Notice of Trustee's Sale

Date: July 13, 2009  
Trustee: Mark Guling

DANA DEBEAUVORE  
COUNTY CLERK  
TRAVIS COUNTY TEXAS

**Note and Deed of Trust:** Note dated August 28, 2008 in the original principal amount of \$217,000.00, ("Note") payable to the order of Bennie F. Brewer; Equity Trust Company Custodian FBO Marie Wilson IRA # 85417; William G. Hofgard; and, EL Jamison LP, ("Mortgagees") and secured by a Deed of Trust, ("Deed of Trust") filed in Instrument 2008147963, of the Official Public Records of Travis County, Texas; both the Note and Deed of Trust for purposes hereof collectively referred to as the "Loan Documents"

**Maker/Grantor:** MGE Development, Inc.

**Property:** Unit A, The 2102 East 13<sup>th</sup> Street Condominiums, a condominium project in Travis County, Texas, according to the Declaration of Condominium, recorded under Document No. 2007145622, of the Official Public Records of Travis County.

**Trustee's/Substitute Trustee's Name:** Mark Guling  
**Trustee's/Substitute Trustee's Address:** 3508 Far West Blvd., Suite 190  
Austin, Texas 78731

**Date of Sale (first Tuesday of month):** August 4, 2009  
**Time of Sale:** 10:00 A.M.  
**Place of Sale:** Designated location, east door, under the sallyport, to the Travis County Courthouse, Austin, Texas, 11<sup>th</sup> and Guadalupe.

Mortgagee has appointed Mark Guling as Trustee under the Deed of Trust. Mortgagee has instructed Trustee to offer the Property for sale toward the satisfaction of the Note.

Notice is given that on the Date of Sale, Trustee will offer the Property for sale at public auction at the Place of Sale, to the highest bidder for cash, "AS IS". THERE WILL BE NO WARRANTY RELATING TO TITLE, POSSESSION, QUIET ENJOYMENT, OR THE LIKE FOR THE PERSONAL PROPERTY IN THIS DISPOSITION. The earliest time the sale will occur is the Time of Sale, and the sale will be conducted no later than three hours thereafter.

  
Mark Guling

Recorders Memorandum-At the time of recordation this instrument was found to be inadequate for the best reproduction, because of illegibility, carbon or photocopy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

**FILED AND RECORDED**

OFFICIAL PUBLIC RECORDS

*Dana DeBeauvoir*

2009 Sep 24 10:11 AM 2009161255

CLARKMM \$35.00

DANA DEBEAUVOIR COUNTY CLERK

TRAVIS COUNTY TEXAS